



**Australian**  
**Taekwondo**

## **MEMBER PROTECTION POLICY**

TKD Sports Taekwondo Australia Limited  
Trading as 'Australian Taekwondo'

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**REVIEW HISTORY OF AUSTRALIAN TAEKWONDO'S****MEMBER PROTECTION POLICY**

<b>Version</b>	<b>Date</b>	<b>Change</b>	<b>Authorised</b>
1.0	19 Sep 14	Initial Policy approved – compliance with ASC MPP Template V07.0	Board BM2
2.0	27 Sep 15	Policy revised – compliance with ASC MPP Template V08.0	Board BM7
3.0	18 May 17	Policy revised to include Child Safe working practices	Board

## **PREFACE**

Australian Taekwondo (**AT**) is committed to providing a martial art, sport and work environment free of discrimination and harassment (sexual or otherwise), where individuals are treated with respect and dignity. AT will not tolerate discriminatory or harassment behaviour under any circumstances and will take disciplinary action against anyone who breaches this Member Protection policy.

AT's Member Protection policy is part of the organisation's proactive and preventative approach to tackling inappropriate behaviour.

AT is committed to ensuring that the safety, welfare and wellbeing of children are maintained at all times during their participation in activities run by AT and its member bodies. Accordingly, any person involved in the instruction, management or coaching of any member under the age of 18 years may be asked to undergo screening procedures including police and other probity checks.

John Walker AM  
CHAIRMAN

Joelie Chisholm  
CHIEF EXECUTIVE OFFICER

Australian Taekwondo  
May 2017

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## PART A – MEMBER PROTECTION POLICY

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### 1. Introduction

AT sets out its vision, purpose and values as follows:

(a) **Vision**

One Taekwondo: unified, respected, successful and sustainable, and providing opportunities for all

(b) **Purpose**

To govern Taekwondo and promote its values and opportunities for all participants.

(c) **Values**

Promoting the values and tradition of Taekwondo “The Indomitable Spirit” and how it applies to all aspects of how we operate – respectful, resilient, strong and confident,

An ‘abundance’ mentality - a philosophy of positive contribution to progress, acting with integrity and being inclusive, transparent, ethical, cohesive and collaborative in all we do,

Future focused and solution-orientated,

A philosophy of stewardship and service provision – we will be accountable to our stakeholders for the resources which have been, entrusted to us and actively and responsibly manage them,

Team work and unity of purpose, and

Promoting a clean image – health and lifestyle, reputation, transparency

### 2. Purpose of this policy

This Member Protection Policy (**policy**) aims to maintain ethical and informed decision-making and responsible behaviours within our martial art and sport. It outlines our commitment to a person’s right to be treated with respect and dignity and to be safe and protected from abuse. This policy informs everyone involved in our martial art and sport of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

The policy attachments outline the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, AT will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed by the AT Board of Directors and has been adopted as one of AT’s official policies in accordance with clause 20 of the AT Constitution. The policy starts on the date it is adopted by the board and will operate until replaced. This policy and/or its attachments may be amended from time to time by the AT Board of Directors in accordance with the AT Constitution. Copies of the policy and its attachments can be obtained from our office or the AT website at [www.austkd.com.au](http://www.austkd.com.au) .

For information on the rights, responsibilities and requirements for people involved in our martial art and sport at the state and club level, please refer to the member protection policies of the relevant state association or club.

### **3. Who this Policy Applies To**

This policy applies to the following people, whether they are in a paid or unpaid/voluntary capacity:

- 3.1 Persons appointed or elected to boards, committees and sub-committees;
- 3.2 Employees, contractors and volunteers of AT;
- 3.4 Support personnel appointed or elected to teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- 3.5 Coaches and assistant coaches;
- 3.6 Athletes;
- 3.7 Referees, judges and other officials involved in the regulation of the sport;
- 3.8 Members, including life members;
- 3.9 Athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by AT;
- 3.10 Any other person including spectators, parents/guardians and sponsors, who or which agrees in writing (whether on a ticket, entry form or otherwise) to be bound by this policy;

This policy also applies to the following associations:

- 3.11 any Member of AT (**Member**);
- 3.12 clubs, organisations or persons affiliated with AT or its members;

Association Members are required to adopt and implement this policy and to provide proof to AT of the approval of the policy by the relevant board in accordance with its constitution. Association Members must also undertake to ensure that affiliated Clubs and individual Members are bound by this policy and are made aware of this policy and what it says.

This policy will continue to apply to a person or Member, even after they have stopped their association or employment with AT, if disciplinary action against that person has commenced.

### **4. Responsibilities of the Organisation**

AT, Association Members and affiliated clubs must:

- 4.1 Adopt, implement and comply with this policy;
- 4.2 Make such amendments to their Constitution, Rules or Policies necessary for this policy to be enforceable;
- 4.3 Publish, distribute and promote this policy and the consequences of breaches;
- 4.4 Promote and model appropriate standards of behaviour at all times;
- 4.5 Promptly deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner;
- 4.6 Apply this policy consistently;
- 4.7 Recognise and enforce any penalty imposed under this policy;
- 4.8 Ensure that a copy of this policy is available or accessible to the persons and associations to whom this policy applies;
- 4.9 Use appropriately trained people to receive and manage complaints and allegations (Member Protection Information Officers (**MPIOs**));
- 4.10 Monitor and review this policy at least annually.

## **5. Individual Responsibilities**

Individuals bound by this policy are responsible for:

- 5.1 Making themselves aware of the policy and complying with its standards of behaviour;
- 5.2 Complying with AT's screening requirements and any state/territory Working with Children checks;
- 5.3 Placing the safety and welfare of children above other considerations;
- 5.4 Being accountable for their behaviour;
- 5.5 Following the procedures outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour; and
- 5.6 Complying with any decisions and/or disciplinary measures imposed under this policy.

## **6. Position Statements**

### **6.1 Child Protection**

AT is committed to the safety and wellbeing of all children and young people accessing our services. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our staff, contractors and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

AT acknowledges that our staff, Members, contractors and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. AT aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

#### **6.1.1 Identify and analyse risk of harm**

AT will develop and implement a risk management strategy, including a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the actions of an employee, volunteer or another person.

#### **6.1.2: Develop Codes of Conduct for Adults and Children**

AT will develop and promote a code of behaviour that sets out the conduct we expect of adults when they deal and interact with children involved in our sport, especially those in our care. We will also implement a code of behaviour to promote appropriate conduct between children.

These codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour.

(See Part B)



**6.1.3: Choose Suitable Employees and Volunteers**

AT will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions).

This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

AT will ensure that Working with Children Checks/criminal history assessments are conducted for employees, contractors and volunteers working with children, where an assessment is required by law.

If a criminal history report is obtained as part of their screening process, AT will ensure that the criminal history information is dealt with in accordance with relevant state requirements. (See Part C)

**6.1.4: Support, Train, Supervise and Enhance Performance**

AT will ensure that contractors, volunteers and employees who work with children have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

**6.1.5: Empower and Promote the Participation of Children in Decision-Making and Service Development**

AT will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

**6.1.6: Report and Respond Appropriately To Suspected Abuse and Neglect**

AT will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

AT will make all volunteers and employees aware of their responsibilities under respective state laws if they have suspicion on reasonable grounds that a child has been or is being abused or neglected. (See Part E)

In addition to any legal obligation, if any person feels another person or organisation bound by this policy is acting inappropriately towards a child or is breaching the code(s) of practice set out they may make an internal complaint. Please refer to our complaints procedure outlined in attachment D1 of this policy. This will explain what to do about the behaviour and how AT will deal with the problem.

**6.2 Taking Images of Children**

Images of children can be used inappropriately or illegally. AT requires that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way the image will be used. AT also requires the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If AT uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. AT will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. AT will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by paedophiles or other persons. AT will only use appropriate images of a child that is relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc. Where possible AT will seek permission to use these images.

AT requires our members, member associations and clubs to do likewise.

### **6.3 Anti-Discrimination and Harassment**

AT is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination and harassment.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

**6.3.1 Discrimination** Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by state or federal anti-discrimination laws.

The personal characteristics protected by anti-discrimination laws include attributes such as race, age, disability, gender and race. The full list of protected personal characteristics is in the “Definitions” set out in the Dictionary of Terms.

Discrimination can be either direct or indirect.

- **Direct** discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **Indirect** discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purposes of determining discrimination, the offender’s awareness and motive are irrelevant.

#### **6.3.2 Harassment**

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment is unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

#### **6.3.3 Prohibition against Discrimination and Harassment**

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the “Definitions” set out in the Dictionary [see clause 10].

Any person who believes they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy is encouraged to raise their concerns with us. A person may make an internal complaint, and in some circumstances, they may also be able to make a complaint to an external organisation. (Refer to the attachments in Part D of this policy.)

## **6.4 Sexual Relationships**

AT understands that consensual intimate relationships (including, but not limited to sexual relationships) between coaches or officials and adult athletes may take place legally. However, this policy will help ensure that the expectations of coaches or officials are clear and, to ensure that if an intimate relationship does exist or develop between a coach or official and an adult athlete, that relationship will be managed in an appropriate manner.

Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. In particular, they must ensure that they treat athletes in a respectful and fair manner, and that they do not engage in sexual harassment, bullying, favouritism or exploitation.

We take the position that consensual intimate relationships between coaches or officials and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach or official and the athlete.

We recommend that if an athlete attempts to initiate an intimate relationship with a coach or official, the coach or official should discourage the athlete's approach and explain to the athlete why such a relationship is not appropriate.

If a consensual intimate relationship does exist or develop between an adult athlete and a coach or official, the coach or official is expected to ensure that the relationship is appropriate and that it does not compromise impartiality, professional standards or the relationship of trust the coach or official has with the athlete and/or other athletes.

In assessing the appropriateness of an intimate relationship between a coach or official and an adult athlete, relevant factors include, but are not limited to:

- the relative age and social maturity of the athlete;
- any potential vulnerability of the athlete;
- any financial and/or emotional dependence of the athlete on the coach or official;
- the ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career;
- the extent of power imbalance between the athlete and coach or official; and the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.

It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of its appropriateness and accordingly they are encouraged to seek advice from the MPIO or other AT official to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

If it is determined that an intimate relationship between a coach or official and an adult athlete is inappropriate or unprofessional we may take disciplinary action against the coach or official up to and including dismissal. Action may also be taken to stop the coaching relationship with the athlete. This could include a transfer, a request for resignation or dismissal from coaching duties.

If a coach, official or athlete believes they are being, or have been, harassed they are encouraged to seek information and support from the MPIO, or other AT official. Our complaints procedure is outlined in Part D of this policy.

## **6.5 Pregnancy**

Everyone bound by this policy must treat pregnant women with dignity and respect and any unreasonable barriers to participation by them in our sport should be removed. AT will not tolerate any discrimination or harassment against pregnant women.

While many sporting activities are safe for pregnant women, we will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Those risks will depend on the nature of the sporting activity and the particular pregnant woman's circumstances. AT will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport.

AT recommends that pregnant women wanting to participate in our sport consult with their medical advisors, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation. AT will only require pregnant women to sign a disclaimer if AT requires other participants to sign one in similar circumstances. AT will not require women to undertake a pregnancy test.

## **6.6 Gender Identity**

Everyone bound by this policy must treat people who identify as transgender fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. AT will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender. Descriptions of the types of behaviour which could be regarded as transgender discrimination or harassment are provided in the Dictionary at clause 10 and include trans, transgender and gender diverse.

### **6.6.1 Gender identity discrimination and harassment**

Federal, state and territory anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity. (See definition in Clause 10).

AT is committed to providing a safe, fair and inclusive sporting environment all where people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity.

All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual. (Refer to the attachments in Part D of this policy.)

We expect all people bound by this policy to act with sensitivity when a person is undergoing gender transition/affirmation.

If any person believes that they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy because of their gender identity, they may make a complaint.

### **6.6.2 Participation in sport**

AT recognises that excluding people from participating in sporting events and activities because of their gender identity may have significant implications for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport on the basis of the gender with which a person identifies.

If issues of performance advantage arise, we will consider whether the established discrimination exceptions for participation in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.

AT is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends competing at an elite level, AT will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by AT.

Drug testing procedures and prohibitions also apply to people who identify as transgender. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption.

### **6.6.3. Intersex status**

Federal anti-discrimination law, and some state and territory anti-discrimination laws, provide protection from discrimination against a person on the basis of their intersex status. (See Dictionary of terms).

AT is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their intersex status.

## **6.7 Alcohol Policy**

AT is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that state associations and member clubs follow strict guidelines regarding the service and consumption of alcohol.

In general, our policy is that:

- alcohol should not be available or consumed at sporting events involving children and young people under the age of 18;
- alcohol-free social events be provided for young people and families;
- food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
- a staff member is present at events we hold or endorse where alcohol is served to ensure appropriate practices in respect of the consumption of alcohol are followed;
- safe transport options be promoted as part of any event we hold or endorse where alcohol is served.

Guidance can be obtained from the "Alcohol Management Policy" available at <http://www.playbytherules.net.au/resources/club-toolkit>

## **6.8 Smoking Policy**

AT is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse.

The following policies should be applied to sporting and social events:

- No smoking shall occur at or near any sporting event or competition involving persons under the age of 18. This policy shall apply to coaches, players, trainers, officials, contractors and volunteers;
- Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas; in line with Tobacco reforms;
- Coaches, officials, trainers, contractors, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity for any of AT, state association, Club or representative team, during and outside of competition.

## **6.9 Bullying**

AT is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable in our sport.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group.

Whilst generally characterised by repeated behaviours, one-off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;
- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. AT will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a judge, teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club, or state association.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. (Refer to the attachments in Part D of this policy.)

Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a judge, team-mate, coach, or sporting body should never be communicated on social network channels, but rather by way of reasoned and logical verbal and written statements and where appropriate, complaints, to the relevant controlling club, league or peak sporting body.

## **6.10 Social Networking Websites Policy**

AT acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.

In particular, social media activity including, but not limited to, postings, blogs, status updates, and tweets:

- must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate;
- must not contain material which is inaccurate, misleading or fraudulent;
- must not contain material which is in breach of laws, court orders, undertakings or contracts;
- should respect and maintain the privacy of others; and
- should promote the sport in a positive way.

*[Further guidance on developing a Communications Policy is available at: [www.playbytherules.net.au/resources/club-toolkit.](http://www.playbytherules.net.au/resources/club-toolkit.)]*

## **7. Complaints Procedures**

### **7.1 Handling complaints**

AT aims to provide a simple procedure for complaints based on the principles of procedural fairness (natural justice). Any person (a complainant) may report a complaint about a person/s or organisation bound by this policy (respondent). Such complaints should be reported to the MPIO.

A complaint should be dealt with at the relevant level. Therefore, if a complaint relates to behaviour or an incident that occurred at the:

- state level or involves people operating at the state level, then the complaint should be reported to and handled by the relevant state association in the first instance; or
- club level or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.

Only matters that relate to or occur at the national level and the most serious cases from club and state level should be referred to the national body.

A complaint may be dealt with informally or formally. The complainant usually decides this unless the MPIO or other relevant person within the member organisation or affiliated club considers that the complaint falls outside this policy and would be better dealt with another way and/or the law requires the complaint/allegation to be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in attachment D1. In circumstances where the complaint falls outside the parameters of the Complaints Procedure (attachment D1) then the AT Grievance clause in the constitution might be relied upon.

Individuals and organisations may also pursue their complaint externally under anti-discrimination, child protection, criminal or other relevant legislation.

## **7.2 Vexatious Complaints and Victimization**

AT aims for our complaints procedure to have integrity and be free of unfair repercussions or victimisation against any person making a complaint.

If at any point in the complaints process the MPIO considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the AT Discipline Committee for appropriate action which may include disciplinary action against the complainant.

AT will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint or supporting another person's complaint.

## **7.3 Mediation**

AT aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

Mediation is a confidential process that allows those involved to discuss the issues or incident in question and to come up with mutually agreed solutions.

Mediation may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the MPIO will, where he or she determines it to be appropriate, arrange for a neutral third party mediator where possible. Notwithstanding anything contained in the AT Grievance clause of the constitution, lawyers are not able to negotiate on behalf of the complainant and/or the respondent in relation to a complaint referred to it under this Policy. More information on the mediation process is outlined in Attachment D2.

## **7.4 AT Tribunals**

In accordance with AT's rules a Tribunal may be convened to hear a proceeding:

- Referred to it by the CEO.
- Referred to it or escalated by a state association because of the serious nature of the complaint, because it was unable to be resolved at the state level or because the policy of the state association directs it to be.
- For an alleged breach of this policy.

Our Tribunal procedure is outlined in Attachment [D4].

A respondent may lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in Attachment [D4].

Every organisation bound by this policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

## **8. What is a Breach of this policy**

It is a breach of this policy for any person or organisation to which this policy applies, to do anything contrary to this policy, including but not limited to:

- 8.1 Breaching the Codes of Behaviour (attachment B to this policy);
- 8.2 Bringing the sport and/or AT into disrepute, or acting in a manner likely to bring the sport and AT into disrepute;
- 8.3 Failing to follow AT policies (including this policy) and procedures for the protection, safety and welfare of children;
- 8.4 Discriminating against, harassing or bullying (including cyber bullying) any person;



- 8.5 Victimising another person for reporting a complaint;
- 8.6 Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- 8.7 Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 8.8 Disclosing to any unauthorised person or organisation any AT information that is of a private, confidential or privileged nature;
- 8.9 Making a complaint they **knew** to be untrue, vexatious, malicious or improper;
- 8.10 Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- 8.11 Failing to comply with a direction given to the individual or organisation during the discipline process.

## **9. Disciplinary Measures**

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. Any disciplinary measure imposed under this policy must:

- Be applied consistent with any contractual and employment rules and requirements;
- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach; and
- Be determined in accordance with our Constitution, By Laws, this policy and/or Rules of the sport.

### **9.1 Individual**

Subject to contractual and employment requirements, if a finding is made by the AT Discipline Committee that an individual has breached this policy, one or more of the following forms of discipline may be imposed:

- 9.1.1 A direction that the individual make a verbal and/or written apology;
- 9.1.2 A written warning;
- 9.1.3 A direction that the individual attend counselling to address their behaviour;
- 9.1.4 A withdrawal of any award, placing, record, achievement bestowed in any tournament, activity or event held or sanctioned by AT,
- 9.1.5 A demotion or transfer of the individual to another location, role or activity;
- 9.1.6 A suspension of the individual's membership or participation or engagement in a role or activity;
- 9.1.7 Termination of the individual's membership, appointment or engagement;
- 9.1.8 A recommendation that AT terminates the individual's membership, appointment or engagement;
- 9.1.9 In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- 9.1.10 A fine;
- 9.1.11 Any other form of discipline that the CEO considers appropriate.

### **9.2 Organisation**

If a finding is made that an Association Member or affiliated club has breached its own or this Member Protection policy, one or more of the following forms of discipline may be imposed by the AT Discipline Committee:

- 9.2.1 A written warning;
- 9.2.2 A fine;
- 9.2.3 A direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;

- 9.2.4 A direction that any funding granted or given to it by AT cease from a specified date (or for a specified period);
- 9.2.5 A direction that AT cease to sanction events held by or under the auspices of that organisation;
- 9.2.6 A recommendation to AT that its membership of AT be suspended or terminated in accordance with the relevant constitution or rules; and/or
- 9.2.7 Any other form of discipline that the national body or peak organisation considers to be reasonable and appropriate.

### **9.3 Factors to consider**

The form of discipline to be imposed on an individual or organisation will depend on factors such as:

- Nature and seriousness of the breach;
- If the person knew or should have known that the behaviour was a breach;
- Level of contrition;
- The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;
- If there have been relevant prior warnings or disciplinary action;
- Ability to enforce discipline if the person is a parent or spectator (even if they are bound by the policy); and/or
- Any other mitigating circumstances.

## **10. Dictionary**

This Dictionary sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. State/Territory specific definitions and more detail on some of the words in this dictionary can be sourced from the relevant State/Territory child protection commissions or equal opportunity and anti-discrimination commissions.

**Abuse** is a form of harassment and includes physical abuse, emotional abuse, sexual abuse, neglect, and abuse of power. Examples of abusive behaviour include bullying, humiliation, verbal abuse and insults.

**Affiliated club** means a club affiliated with AT and an Association Member, recognised by AT under clause 5 of the AT Constitution.

**Association Member** (State Associations) means an Association affiliated with AT, recognised by AT under clause 5.3 of the AT Constitution.

**Child** means a person who is under the age of 18 years

**Child abuse** involves conduct which puts children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms, including verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

- Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity).
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).
- Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).

- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

**Complaint** means a complaint made under clause 7.

**Complainant** means a person making a complaint.

**Complaint Handler/Manager** means a person appointed under this policy to investigate a Complaint.

**Discrimination** occurs when someone is treated unfairly or less favourably than another person in the same or similar circumstances because of a particular personal characteristic. This is known as direct discrimination. Indirect discrimination occurs when a rule, policy or practice disadvantages one group of people in comparison with others, even though it appears to treat all people the same.

In Australia, it is against the law to discriminate against someone because of their:

- Age;
- Disability;
- Family/carer responsibilities;
- Gender identity/transgender status;
- Homosexuality and sexual orientation;
- Irrelevant medical record;
- Irrelevant criminal record;
- Political belief/activity;
- Pregnancy and breastfeeding;
- Race;
- Religious belief/activity;
- Sex or gender;
- Social origin;
- Trade union membership/activity.

(Some States and Territories include additional characteristics such as physical features or association with a person with one or more of the characteristics listed above).

**Examples of Discrimination** are available on the Play by the Rules website:

[www.playbytherules.net.au/legal-stuff/discrimination](http://www.playbytherules.net.au/legal-stuff/discrimination)

- **Age:** A club refuses to allow an older person to coach a team simply because of age.
- **Breastfeeding:** A member of the club who is breastfeeding a baby in the club rooms is asked to leave.
- **Disability:** A junior player is overlooked because of mild epilepsy.
- **Family responsibilities:** A club decides not to promote an employee because he has a child with a disability even though the employee is the best person for the job.
- **Gender Identity:** A transgender contract worker is harassed when employees refuse to call her by her female name.
- **Homosexuality:** An athlete is ostracised from her team after it becomes known that she is a lesbian.
- **Marital Status:** A player is deliberately excluded from team activities and social functions because she is single
- **Pregnancy:** A woman is dropped from a squad when she becomes pregnant.
- **Race:** An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.
- **Sex:** Specialist coaching is only offered to male players in a mixed team.

It is also a breach of discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment. Example: a player is ostracised by her male coach for complaining about his sexist behaviour or for supporting another player who has made such a complaint.

Some exceptions to state and federal anti-discrimination law apply, such as:

- holding a competitive sporting activity for boys and girls only who are under the age of 15,
- excluding people on the basis of their 'excluding people on the basis of their sex and/or gender identity status' from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who are under the age of 12 years); and
- not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular activity.

**Harassment** is any type of behaviour that the other person does not want and is likely to make the person feel intimidated, insulted or humiliated.. Unlawful harassment is sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some other characteristic (see characteristic list under discrimination).

Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal and includes electronic communication.

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law.

Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see vilification.

**Intersex** means a person with a variation in [sex](#) characteristics including [chromosomes](#), [gonads](#), or [genitals](#) that do not allow an individual to be distinctly identified as [male](#) or [female](#).

**Life Member** means a person granted life membership of AT under clause 5.4 of the AT Constitution.

**Mediator** means an impartial/neutral person appointed to talk through the issues and resolve the matter on mutually agreeable terms.

**Member** means a member of AT as set out in clause 5 of the AT Constitution.

**Member Protection Information Officer (MPIO)** means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy. He or she provides impartial and confidential support to the person making the complaint.

**Natural justice (also referred to as procedural fairness)** incorporates the following principles:

- both the Complainant and the Respondent must know the full details of what is being said against them and have the opportunity to respond;
- all relevant submissions must be considered;
- no person may judge their own case;

- the decision maker/s must be unbiased, fair and just;
- the penalties imposed must be fair.

**Police check** means a national criminal history record check conducted as a pre-employment, pre-engagement or current employment background check on a person.

**This policy** means this Member Protection Policy.

**Respondent** means the person who is being complained about.

**Role-specific codes of conduct (or behaviour)** means standards of conduct required of certain roles (e.g. coaches).

**Sexual harassment** means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

**Sexual offence** means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under state/territory legislation):

- Rape
- Indecent assault
- Sexual assault
- Assault with intent to have sexual intercourse
- Incest
- Sexual penetration of child under the age of 16
- Indecent act with child under the age of 16
- Sexual relationship with child under the age of 16
- Sexual offences against people with impaired mental functioning
- Abduction and detention
- Procuring sexual penetration by threats or fraud
- Procuring sexual penetration of child under the age of 16
- Bestiality
- Soliciting acts of sexual penetration or indecent acts
- Promoting or engaging in acts of child prostitution
- Obtaining benefits from child prostitution
- Possession of child pornography
- Publishing child pornography and indecent articles.

**Transgender** is a general term applied to individuals and behaviours that differ from the gender role commonly, but not always, assigned at birth. It does not imply any specific form of sexual orientation.

**Victimisation** means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under government legislation (e.g. anti-discrimination) or under this Policy, or for supporting such a person.

**Vilification** involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of discrimination. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

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**PART B: CODES OF BEHAVIOUR**

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**ATTACHMENT B1: GENERAL CODE OF BEHAVIOUR**

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This General Code of Conduct outlines the standard of behaviour that is expected of all competitors, instructors, coaches, officials, judges, referees, administrators, parents/guardians (of child participants) and spectators to comply with when participating or attending any Australian Taekwondo (AT) sanctioned events or when instructing, coaching, training or competing at a state or club level. This General Code of Conduct is to be read in conjunction with the relevant AT role-specific Codes of Conduct attached hereto, which are incorporated and form part of this General Code of Conduct.

1. Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations.
2. Be ethical, fair, considerate and honest in all dealings with others (people and organisations).
3. Maintain a high standard of personal behaviour at all times and accept responsibility for your actions and behaviour.
4. Conduct yourself in a responsible manner relating to language, temper and punctuality.
5. Do not engage in any behaviour (including posting material using social media that relates to taekwondo or the organisations or people involved in taekwondo) that is offensive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist, homophobic, inaccurate, misleading, fraudulent or otherwise inappropriate.
6. Do not consume alcohol, smoke or use illegal drugs.
7. Condemn the use of violence in any form, be it by officials, coaches, competitors, referees or parents/ guardians.
8. Demonstrate appropriate social behaviour by refraining from using foul language and/or harassing officials, coaches, competitors or referees.
9. Support the use of age appropriate development activities and modified rules.
10. Always place the safety and welfare of children above other considerations.
11. Show concern and caution towards others who may be sick or injured.
12. Be a positive role model.
13. If you disagree with the opinion or decision of any Taekwondo body, referee, coach or official, raise the issue through the appropriate channels rather than question their judgement and honesty in public.
14. Refrain from any behaviour that may bring AT, Member Organisations or Affiliates into disrepute.
15. Do not use your involvement with taekwondo to promote your own beliefs, behaviours or practices where these are inconsistent with those of AT, Member Organisations or Affiliates.
16. Operate within the rules and spirit of taekwondo including national and state guidelines, constitution and policies which govern AT, Member Organisations and Affiliates, including the Member Protection Policy of AT and each Member Organisation.
17. Abide by the relevant AT role-specific Codes of Conduct and understand the repercussions if you breach, or are aware of any breaches, of this Code of Conduct.
18. Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws.

**AT CODES OF CONDUCT CONSENT FORM**

By signing below, I confirm (1) I have read, understood and will comply with the responsibilities and standards of expected behaviour stated in AT's General Code of Conduct during any activity held by, sanctioned or under the auspices of AT, Member Organisations or Affiliates, and (2) to the extent I have a role during any such activity as a competitor, instructor, coach, judge, referee, administrator, official, parent/guardian (of child participants) or spectator, I have read, understood and will comply with the responsibilities and standards of expected behaviour stated in AT's role-specific Codes of Conduct, as applicable, (3) I consent to the withdrawal of any awards, placings, records or other achievements bestowed on me in any tournaments, activities or events held or sanctioned by AT; any fine; removal from an event, dismissal from future AT sanctioned events, and/or my complete suspension from participation as a competitor, instructor, coach, judge, referee, administrator, official, spectator or staff member in future AT sanctioned events. I also consent to any sanctions contained in AT's Member Protection Policy, should my breach of these Codes of Conduct also result in a breach of AT's Member Protection Policy, and (4) The sanctions applied as a consequence of a breach of the Code of conduct are final and binding and may not be contested under another AT Policy.

.....  
(Signature)

..... (Name)  
..... (Date)

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**ATTACHMENT B2: COACHES AND INSTRUCTORS' CODE OF CONDUCT**

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In addition to AT's General Code of Conduct, you must meet the following requirements with regard to your conduct during any activity held by or under the auspices of AT, Member Organisations or Affiliates in your role as a coach or instructor, including when participating in or attending any AT sanctioned events or when instructing, coaching or training at a state or club level. For the purposes of this Code of Conduct and to ensure consistency of terminology, AT defines 'coach' to include the term instructor.

1. Place the safety and welfare of the students and competitors above all else.
2. Encourage and support opportunities for people to learn appropriate behaviour and skills.
3. Help each of your students and competitors reach their potential - respect the talent, developmental stage and goals of each person and compliment and encourage with positive and supportive feedback.
4. Display control and courtesy to all involved with the martial art and sport.
5. Adopt appropriate and responsible behaviour in all interactions.
6. Ensure your decisions and actions contribute to a safe and harassment free environment.
7. Do not engage in or tolerate harmful, inappropriate or abusive behaviour.
8. Maintain the required standard of accreditation and/or licensing of professional competencies.
9. Be honest and do not allow your qualifications to be misrepresented.
10. Operate within the rules and spirit of taekwondo, promoting fair play over winning at any cost.
11. Respect the decisions of referees, officials and administrators in the conduct of the sport.
12. Develop competitor respect for the ability of opponents and for the judgments of referees, officials and opposing coaches.
13. Wherever practical, avoid unaccompanied and unobserved one-on-one activity with people under the age of 18 years.
14. Ensure any physical contact with a person is appropriate to the situation and necessary for the person's skill development.
15. Follow the advice of a physician (or other medically qualified specialist) in determining when an injured or ill (including mentally ill) competitor is ready to recommence training or competition.
16. Do not publicly criticise other coaches or instructors or any referees or officials or any Taekwondo body and do not make any statements to the general public related to any match in which you or your students were involved.



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**ATTACHMENT B3: REFEREE AND JUDGES' CODE OF CONDUCT**

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In addition to AT's General Code of Conduct, you must meet the following requirements with regard to your conduct during any activity held by or under the auspices of AT, Member Organisations or Affiliates in your role as a referee or judge, including when participating in or attending any AT sanctioned events or when refereeing or judging at a state or club level. For the purposes of this Code of Conduct and to ensure consistency of terminology, AT defines 'referee' to include the term judge.

1. At all times, referee Taekwondo matches with absolute fairness, honesty and integrity, ensuring that the relevant Competition Rules are properly enforced and that all competitors comply with the Competition Rules.
2. Treat all competitors, coaches, officials and other referees with respect.
3. Place the safety and welfare of the competitors above all else. Ensure the court and its surrounds are compliant with the rules. Take appropriate action to manage dangerous play.
4. Be a positive role model through behaviour and personal appearance projecting a favourable image of taekwondo and refereeing at all times.
6. Indicate any conflict of interest in any match (such as being from the same club or family as a competitors) and request to be replaced in any such Taekwondo match.
7. Conduct yourself with dignity at all times and endeavour to reflect by personal example the Tenets of Taekwondo and the principles of sportsmanship and fair play.
8. Adhere to all AT and WTF policies, regulations, standards and directives regarding refereeing.
9. Possess a thorough knowledge of the WTF Competition Rules.
10. Perform designated responsibilities to the best of your ability.
11. Always be neat in appearance and maintain an appropriate level of physical and mental fitness.
12. Recognise and correct any misjudgement right away to ensure objective decisions are made on the court.
13. Do not publicly criticise other referees, coaches or officials or any Taekwondo body and do not make any statements to the general public related to any match in which you were involved.

**ATTACHMENT B4: COMPETITOR CODE OF BEHAVIOUR**

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In addition to AT's General Code of Conduct, you must meet the following requirements with regard to your conduct during any activity held by, sanctioned or under the auspices of AT, Member Organisations or Affiliates, including when you are competing at a state or club level, in your role as a competitor. For the purposes of these Codes of Conduct and to ensure consistency of terminology, AT defines 'competitor' to include the terms student, player, opponent and athlete.

1. Understand and participate by the rules.
2. Give your best at all times and participate fairly and safely.
3. Abide by the rules and respect the decision of the referees, without argument or bad temper.
4. Be courteous and use the correct process when seeking a rule clarification. If you disagree with a referee, judge, official, judge, coach or instructor, raise the issue through the appropriate channels rather than question their judgement and honesty in public.
5. Respect and co-operate with your coach, referees and officials, including in relation to programs that adequately prepare you for competition.
6. Be honest with your coach concerning illness and injury and your ability to train and compete fully.
7. Respect the talent, potential and development of fellow competitors and do not deliberately provoke a competitor.
8. Respect the rights, dignity and worth of fellow competitors, coaches, officials and spectators.
9. Refrain from conduct which could be regarded as any form of harassment.
10. Always be on time.
11. Care for and respect your uniform and ensure you always wear the appropriate uniform to training and/ or competition.
12. Respect and acknowledge the contribution of those who create the opportunity for you to compete.
13. Participate for your own enjoyment and benefit, not to satisfy the expectations of others.
14. Do not engage in practices that affect sporting performance (e.g. alcohol, tobacco or drug use).

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**ATTACHMENT B5: OFFICIALS AND ADMINISTRATORS CODE OF CONDUCT**

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In addition to AT's General Code of Conduct, you must meet the following requirements with regard to your conduct during any activity held by or under the auspices of AT, Member Organisations or Affiliates in your role as an Official, including when participating in or attending any AT sanctioned events or when officiating at a state or club level. For the purposes of this Code of Conduct, AT defines 'officials' to include members of its Board of Directors and Executive Committee, chairs and members of its Committees, technical delegates, match officials, managers, tournament directors and volunteers.

1. Be fair, considerate and honest in all dealings with others.
2. Resolve conflicts fairly and promptly through established procedures
3. Be consistent and impartial when making decisions.
4. Be aware of your legal responsibilities.
5. Be a positive role model through behaviour and personal appearance projecting a favourable image of taekwondo and officials at all times.
6. Be courteous, respectful and open to discussion and interaction.
7. Ensure that everyone emphasises fair play in all taekwondo activities.
8. Keep up-to-date with the latest rules and guidelines relating to taekwondo.
9. Condemn inappropriate behaviour and promote respect for all.
10. Show loyalty to the interests of AT and/or the event and not to oneself.
11. Act in good faith and in the best interests of the martial art and sport as a whole.
12. Do not allow prejudice, conflict of interest or bias to affect your objectivity.
13. Maintain confidentiality in regards to discussions and deliberations of AT (unless expressed permission is given by the appropriate individual and/or organisation).
14. Respect and recognise the skills, knowledge, qualifications and experience that each person brings to the officials role in the capacity that they bring it, and ensure equality in decision making based on those factors.
15. If you disagree with the opinion or decision of any Taekwondo body, referee, coach or other official, raise the issue through the appropriate channels rather than question their judgement and honesty in public.

**ATTACHMENT B6: PARENT/GUARDIAN CODE OF BEHAVIOUR**

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In addition to AT's General Code of Conduct, you must meet the following requirements with regard to your conduct during any activity held by or under the auspices of AT, Member Organisations or Affiliates in your role as a parent/guardian, including when attending any AT sanctioned events or activities or any state or club level events or activities.

1. Encourage your child to participate in taekwondo for their own enjoyment, personal satisfaction and improvement.
2. Focus upon your child's effort and performance rather than the overall outcome. This assists your child in setting realistic goals related to his/ her ability by reducing the emphasis on winning.
3. Teach your child that an honest effort is as important as victory, so that the result of each game is accepted without undue disappointment.
4. Never ridicule or yell at a child for making a mistake or losing a game.
5. Encourage your child to always abide by the rules and accept judgements made by referees.
6. Be a good example to your child and others. Appreciate good performances by all participants.
7. Support all efforts to remove verbal and physical abuse from the sporting environment.
8. Recognise and respect the value and importance of volunteers, officials, coaches and referees and be courteous in your communication with them. Teach your child to do likewise.

**ATTACHMENT B7: SPECTATOR CODE OF BEHAVIOUR**

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In addition to AT's General Code of Conduct, you must meet the following requirements with regard to your conduct during any activity held by or under the auspices of AT, Member Organisations or Affiliates in your role as a spectator, including when attending any AT sanctioned events or activities or any state or club level events or activities.

1. Applaud good performance and efforts by all competitors.
2. Respect the referees' and coaches' decisions. If there is a disagreement, follow the appropriate procedure in order to question the decision and teach children to do likewise, and do not question their judgement and honesty in public.
3. Never ridicule a competitor or referee for making a mistake during a match. Positive comments are motivational.
4. Encourage competitors to participate according to the rules and the referee decisions, and develop your own knowledge of the rules.
5. If at a venue where alcohol is served, responsible consumption is expected.

**PART C: SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS****Background**

We are committed to providing a safe environment for children. As part of this, we will recruit staff and volunteers who do not pose a risk to children.

Child protection is about keeping children safe from harm/abuse. Child abuse is illegal, and all states and territories have their own systems and laws that cover screening and/or the reporting and investigation of cases of child abuse.

Working with Children Check (WWCC) laws aim to prevent people who pose a risk from working with children as paid employees or volunteers. Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory, the Australian Capital Territory, and South Australia. Working with Children Check laws are currently being introduced in Tasmania.

These laws require individuals involved in areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with children. Employment screening and Working with Children Checks can involve criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children and young people. In some states this also involves reviewing relevant findings from disciplinary proceedings. There are also requirements placed on organisations.

AT including its state associations and clubs, will meet the requirements of the relevant state or territory Working with Children Check laws.

Please be aware that individuals travelling with children and young people to another state or territory in a work-related capacity must comply with the screening requirements of that particular state or territory. For example, if a state association or club takes players U18 into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with NSW law.

The state WWCC requirements apply regardless of our national, state or club Member Protection Policy.

The following attachments provide:

- summary information on state and territory WWCC requirements and where to obtain more information and relevant forms;
- our Member Protection Declaration (for all states/territories except NSW who must complete a Prohibited Employment Declaration provided by the NSW Commission for Children and Young People);
- our screening requirements for people residing Tasmania

**Attachment C1: MEMBER PROTECTION DECLARATION**

AT has a duty of care to all those associated with the sport at the national level and to the individuals and organisations to whom our Member Protection Policy applies. As a requirement of our Member Protection Policy, AT must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

I ..... (name) of .....  
..... (address) born ...../...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.
4. I am not currently serving a sanction for an anti-doping rule violation under an ASADA approved anti-doping policy applicable to me.
5. I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA approved anti-doping policy applicable to me.
6. To my knowledge there is no other matter that AT may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the CEO of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in clauses 1 to 6 above has changed.

Declared in the *State/Territory of* .....  
on ...../...../.....(date) Signature .....

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**Parent/Guardian Consent (in respect of a person under the age of 18 years)**

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name:.....

Signature:.....

Date: .....

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## Attachment C2: WORKING WITH CHILDREN CHILD PROTECTION REQUIREMENTS

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Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- criminal history checks;
- signed declarations;
- referee checks; and
- other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children Check requirements vary across Australia. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: [www.playbytherules.net](http://www.playbytherules.net)

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

### **Australian Capital Territory**

Contact the Office of Regulatory Services

Website: [www.ors.act.gov.au/community/working\\_with\\_vulnerable\\_people\\_wwvp](http://www.ors.act.gov.au/community/working_with_vulnerable_people_wwvp)

Phone: 02 6207 3000

### **New South Wales**

Contact the Office of the Children's Guardian

Website: [www.kidsguardian.nsw.gov.au/check](http://www.kidsguardian.nsw.gov.au/check)

Phone: 02 9286 7276

### **Northern Territory**

Contact the Northern Territory Screening Authority

Website: [www.workingwithchildren.nt.gov.au](http://www.workingwithchildren.nt.gov.au)

Phone: 1800 SAFE NT (1800 723 368)

### **Queensland**

Contact the Public Safety Business Agency about the "Blue Card" system.

Website: [www.ccypcg.qld.gov.au](http://www.ccypcg.qld.gov.au)

Phone: 1800 113 611

### **South Australia**

Contact the Department for Education and Child Development for information

Website: [www.families.sa.gov.au/childsafes](http://www.families.sa.gov.au/childsafes)

Phone : 08 8463 6468.

National Police Check: [www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check](http://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check)

DCSI Child Related Work Screening: <http://www.dcsi.sa.gov.au/services/screening>

### **Tasmania**

Contact the Department of Justice about the working with children registration system that is being phased in

Website: [www.justice.tas.gov.au/working\\_with\\_children](http://www.justice.tas.gov.au/working_with_children)

Phone: 1300 13 55 13



**Victoria**

Contact the Department of Justice

Website: [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)

Phone: 1300 652 879

**Western Australia**

Contact the Department for Child Protection

Website: [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au)

Phone: 1800 883 979 **Travelling to other states or territories**

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

In certain jurisdictions, temporary, time limited exemptions from working with children checks may be available for interstate visitors with a Working with Children Check in their home state.

The laws providing interstate exemptions are not consistent across Australia.

If an employee or volunteer for your organisation is travelling interstate to do work that would normally require a working for children check, you will need to check the relevant requirements of that state or territory.

## **PART D: COMPLAINT HANDLING PROCEDURES**

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We will deal with all complaints in a fair, timely and transparent manner. All complaints will be treated seriously.

We will provide individuals with an informal and informal process to resolve the matter, along with access to an external complaint handling body, based on the nature of the complaint and our rules and regulations.

We also provide an appeals process for those matters.

We will maintain confidentiality where possible and as provided in this policy and seek to ensure that no one is victimised for making, supporting or providing information about a complaint.

To ensure due process, consistency and that the principles of natural justice are followed in all aspects of handling or conducting complaints, allegations, investigations, appeals and disciplinary measures, AT will follow the procedures set out below.

### **Attachment D1: COMPLAINTS PROCEDURE**

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All complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

Individuals and organisations may also pursue their complaint externally under anti-discrimination, child protection or other relevant legislation.

If you wish to remain anonymous, AT may have difficulty assisting you to resolve your complaint. Procedural fairness (natural justice) means that AT is required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond.

#### **INFORMAL APPROACHES**

##### **Step 1: Talk with the other person (where this is reasonable and appropriate)**

In the first instance, you (the Complainant) should try to sort out the problem with the person or people involved (respondent) if you feel able to do so.

##### **Step 2: Contact a Member Protection Information Officer**

Talk with one of our Member Protection Information Officers (MPIOs) if:

- the first step is not possible/reasonable;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially about the problem with someone and obtain more information about what you can do; or
- the problem continues after you tried to approach the person or people involved.

The MPIO will:

- take confidential notes about your complaint;
- try to find out the facts of the problem;
- ask what outcome/how you want the problem resolved and if you need support;
- provide possible options for you to resolve the problem;
- act as a support person if you so wish;
- refer you to an appropriate person (e.g. Mediator) to help you resolve the problem, if necessary;
- inform the relevant government authorities and/or police if required by law to do so;
- maintain confidentiality.

### **Step 3: Outcomes from initial contact**

After talking with the MPIO, you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;
- to try and work out your own resolution (with or without a support person such as a MPIO); or
- to seek a mediated resolution with the help of a third person (such as a mediator); or
- to seek a formal approach.

## **FORMAL APPROACHES**

### **Step 4: Making a Formal complaint**

If your complaint is not resolved or informal approaches are not appropriate or possible, you may:

- make a formal complaint in writing to AT by sending your formal complaint to [ceo@austkd.com.au](mailto:ceo@austkd.com.au); or
- approach a relevant external agency such as an anti-discrimination commission, for advice.

On receiving a formal complaint and based on the material you have provided, AT will decide:

- who is the most appropriate person to receive and handle the complaint;
- whether the nature and seriousness of the complaint warrants a formal resolution procedure;
  - to appoint a person to **investigate** (gather more information on) the complaint;
  - to refer the complaint to **mediation**;
  - to refer the complaint to the **AT Discipline Committee**;
  - to refer the matter to the **police or other appropriate authority**; and/or
- to implement any interim arrangements that will apply until the complaint process set out in these Procedures is completed.

In making the decision(s) outlined above, the appointed person will take into account:

- whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- the relationship between you and the respondent (for example an actual or perceived power imbalance between you and the respondent);
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the possibility that you will be subject to further unacceptable behaviour while the complaint process is underway.

If the appointed person is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

- put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story;
- decide if they have enough information to determine whether the matter alleged in your complaint did or didn't happen; and/or
- determine what, if any, further action to take. This action may include disciplinary action in accordance with this policy.

**Step 5: Investigation of the complaint**

- A person appointed under Step 4 (or other authorised person) will conduct an investigation and provide a written report to the AT Discipline Committee who will determine what further action to take;
- If the complaint is referred to mediation, it will be conducted in accordance with Attachment D2 or as otherwise agreed by you and the respondent and the mediation provider;
- If the complaint is referred to AT Discipline Committee, the hearing will be conducted in accordance with Attachment D4.
- If the complaint is referred to the police or other appropriate authority, AT will use its best endeavours to provide all reasonable assistance required by the police or other authority.
- It must be made clear to all parties that the investigator is not seeking to resolve the matter, nor to decide whether any breach of this Policy has occurred, nor to impose any penalty. Any decision about Policy breach must be referred to an independent tribunal, and wherever possible, mediations should be conducted by an independent mediator.

In appropriate circumstances (and as determined solely at the discretion of the CEO) the Complainant may be liable for any costs or disbursements relating to the complaint process set out in this Policy (e.g. investigation and/or mediation and/or hearings).

**Step 6: Reconsideration of initial outcome/investigation or appeal**

If, under the formal complaint process, mediation is unsuccessful, you may request that the CEO reconsider the complaint in accordance with **Step 3**.

You or the respondent(s) may be entitled to appeal. The grounds and process for appeals under this Policy are set out in Attachment D4.

**Step 7: Documenting the resolution**

AT will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a state/district level, the information will be stored in the state association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the national level, the original document will be stored at the national office with a copy stored at the state office.

**EXTERNAL APPROACHES**

There are a range of other options available depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from your State or Territory anti-discrimination commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be harassment within its jurisdiction, you may lodge a formal complaint with the commission.

Once a complaint is received by an anti-discrimination commission, it will investigate to obtain further information. If it appears that unlawful harassment or discrimination has occurred, the commission will conciliate the complaint confidentially. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made. The tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred.

If you do lodge a complaint under anti-discrimination law, you may use an appropriate person (e.g. an MPIO) as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

Contact details for the state and territory anti-discrimination and equal opportunity commissions are available on the Play by the Rules website:

<http://www.playbytherules.net.au/resources/quick-reference-guide> or the relevant State or Territory anti-discrimination agency via the following link:

<https://www.humanrights.gov.au/information-employers-contacts#state>

You could also approach another external agency such as the police.

## **ATTACHMENT D2: MEDIATION**

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Mediation is a process that seeks to resolve complaints with the assistance of an impartial person – the mediator.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to discuss the issues and seeks to facilitate a mutually agreeable solution.

Our approach to mediation follows the steps set out below.

1. The Chief Executive Officer (CEO) will appoint an appropriate mediator to help resolve the complaint. This will be done under the direction of Sports Taekwondo Australia (STAL) and in consultation with the complainant and the respondent(s). The mediator will be an independent person in the context of the complaint, however this does not preclude a person with an association with STAL acting as mediator.
2. The mediator will talk with the complainant and respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
3. All issues raised during mediation will be treated confidentially. We also respect the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. If the complaint is resolved by mediation, where appropriate the mediator may seek to ensure the parties execute a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect and comply with the terms of the agreement.
5. If the complaint is not resolved by mediation, the complainant may:
  - write to the CEO to request that the CEO reconsider the complaint, and
  - approach an relevant external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

We recognise that there are some situations where mediation will not be appropriate, including:

- when the people involved have completely different versions of the incident
- when one or both parties are unwilling to attempt mediation
- when the issues raised are sensitive in nature
- when there is a real or perceived power imbalance between the people involved
- matters that involve serious allegations.

## **ATTACHMENT D3: INVESTIGATION PROCESS**

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If an investigation needs to be conducted to gather more information the following steps will be followed:

1. We will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:
  - 1.1 Interview the complainant and record the interview in writing.
  - 1.2 Convey full details of the complaint to the respondent (s) so that they can respond.
  - 1.3 Interview the respondent to allow them to answer the complaint, and record the interview in writing.
  - 1.4 Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
  - 1.5 Make a finding as to whether the complaint is:
    - substantiated (there is sufficient evidence to support the complaint);
    - inconclusive (there is insufficient evidence either way);
    - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
    - mischievous, vexatious or knowingly untrue.
  - 1.6 Provide a report to the AT Discipline Committee documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
2. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
3. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).
4. The complainant and the respondent(s) may have the right to appeal against any decision arrived at based on the investigation. Information on our appeals process is in Attachment D4.

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**ATTACHMENT D4: HEARINGS & APPEALS TRIBUNAL PROCEDURE**

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We will follow the steps set out below to hear formal complaints made under our Member Protection Policy.

**Preparing for a Tribunal hearing**

1. A Tribunal panel will be established, according to the rules set out in our constituent documents, rules and by-laws, to hear a complaint that has been referred to it by the Chief Executive Officer (CEO).
2. The number of Tribunal panel members required to be present throughout the hearing will be three.
3. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by CEO relating to the complaint/allegations.
4. The Tribunal hearing will be held as soon as practicable. However, adequate time must be provided for the respondent(s) to prepare for the hearing.
5. The CEO will inform the respondent(s) in writing that a Tribunal hearing will take place. The notice will outline:
  - that the person has a right to appear at the Tribunal hearing to defend the complaint/allegations;
  - the details of the complaint and of all allegations, as well as the provision or clause of any policy, rule or regulation that has allegedly been breached;
  - the date, time and venue of the Tribunal hearing;
  - that verbal and/or written submissions can be presented at the Tribunal hearing;
  - that witnesses may attend the Tribunal hearing to support the position of the respondent/s;
  - an outline of any possible sanctions that may be imposed if the complaint is found to be true;
  - that legal representation will not be allowed. *[The respondent may be assisted by a support person at a Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However a person cannot be a support person if he or she has been admitted to the practice as a lawyer or worked as a trainee lawyer.]*
6. The CEO will notify the complainant in writing that a Tribunal hearing will take place. The notice will outline:
  - that the person has a right to appear at the Tribunal hearing to support their complaint;
  - the details of the complaint, including any relevant rules or regulations the respondent is accused of breaching;
  - the date, time and venue of the Tribunal hearing;
  - that verbal and/or written submissions can be presented at the Tribunal hearing;
  - that witnesses may attend the Tribunal hearing to support the complainant's position;
  - that legal representation will not be allowed. *[The respondent may be assisted by a support person at a Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However, a person cannot be a support person if he or she has been admitted to practice as a lawyer or worked as a trainee lawyer.]*

A copy of the investigation report findings will be provided to the complainant.
7. If the complainant believes the details of the complaint are incorrect or insufficient, he or she should inform the CEO as soon as possible so that the respondent(s) and members of the Tribunal panel can be properly informed of the complaint.
8. If possible, the Tribunal panel should include at least one person with knowledge or experience of the relevant laws/rules (eg anti-discrimination).

## **Tribunal Hearing Procedure**

1. The following people will be allowed to attend the Tribunal hearing:
  - Tribunal panel members
  - the respondent(s)
  - the complainant
  - any witnesses called by the respondent(s)
  - any witnesses called by the complainant
  - any parent/guardian or support person required to support the respondent or the complainant.
2. If the respondent(s) is not present at the set hearing time and the Tribunal chairperson considers that no valid reason has been presented for this absence, the Tribunal hearing will continue subject to the chairperson being satisfied that all Tribunal notification requirements have been met.
3. If the Tribunal chairperson considers that there is a valid reason for the non-attendance of the respondent(s), or the chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal hearing will be rescheduled to a later date.
4. If the Tribunal chairperson wishes to reschedule the Tribunal hearing date, the Tribunal chairperson will inform the CEO of the need to reschedule the hearing and the CEO will arrange for the Tribunal to be reconvened.
5. The Tribunal chairperson will read out the complaint, ask each respondent if he or she understands the complaint and if he or she agrees or disagrees with the complaint.
6. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal when determining any sanctions.
7. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
  - Reference may be made to brief notes.
  - The complainant may call witnesses.
  - The respondent may question the complainant and any witnesses.
8. The respondent will then be asked to respond to the complaint.
  - Reference may be made to brief notes.
  - The respondent may call witnesses.
  - The complainant may ask questions of the respondent and any witnesses.
9. The complainant and respondent(s) may be present when evidence is presented to the Tribunal hearing. Witnesses may be asked to wait outside the hearing until they are required.
10. The Tribunal may:
  - consider any evidence, and in any form, that it deems relevant;
  - ask questions of any person giving evidence;
  - limit the number of witnesses (including limiting witnesses to those persons who only provide new evidence);
  - require (to the extent it has power to do so) the attendance of any witness it deems relevant; and
  - act in an inquisitorial manner in order to establish the truth of the issue/complaint before it.
11. Video evidence, if available, may be presented. Arrangements for the viewing of this evidence must be made entirely by the person(s) wishing to offer this type of evidence.
12. If the Tribunal panel considers that at any time during the hearing there is any unreasonable or intimidatory behaviour from anyone, the Tribunal chairperson may deny further involvement of that person in the hearing.



13. After all the evidence has been presented, the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has, on the balance of probabilities, been substantiated.
14. All Tribunal decisions will be by majority vote.
15. The Tribunal chairperson may announce the decision of the Tribunal at the conclusion of the hearing. Alternatively, he or she may reserve the decision of the Tribunal at the conclusion of the hearing and deliver the decision at a later time.
16. The respondent(s) will have the opportunity to make submissions to the Tribunal in relation to any sanctions that may be imposed.
17. Within 48 hours of the Tribunal delivering its decision, the Tribunal chairperson will:
  - forward a notice of the Tribunal's decision to the CEO, including details of any sanction imposed.
  - forward a letter reconfirming the Tribunal's decision to the respondent(s), including any sanction imposed. The letter should also outline the process and grounds for an appeal, if allowed.
18. The Tribunal does not need to provide written reasons for its decision.

### **Appeals Procedure**

1. A complainant or a respondent(s) may lodge with STAL an appeal in relation to the decision of a Tribunal on one or more of the following grounds:
  - that a denial of procedural fairness has occurred;
  - that the sanction imposed is unjust and/or unreasonable;
  - that the decision was not supported by the information/evidence provided at the mediation or to the Tribunal Hearing.
2. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the CEO within 2 days of the decision being made. An appeal fee of \$500 shall be included with the letter of intention to appeal.
3. If the letter of appeal is not received by the CEO within this time, the right of appeal will lapse. If the letter of appeal is received but the appeal fee is not received within this time, the appeal will also lapse.
4. The letter of appeal and the notice of the Tribunal's decision (Clause 16) will be forwarded to the CEO to review and to decide whether there are sufficient grounds for the appeal to proceed. The CEO may invite any witnesses to the meeting that he or she believes are required to make an informed decision.
5. If the appellant has not shown sufficient grounds for an appeal in accordance with Clause 18, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision, and the appeal fee will be forfeited.
6. If the appeal is accepted, an Appeal Tribunal with new panel members will be convened to rehear the complaint, and the appeal fee will be refunded.
7. The Tribunal hearing procedure shall be followed for the Appeal Tribunal.
8. The decision of the Appeal Tribunal will be final.

**PART E: REPORTING DOCUMENTS**

The following information was updated in November 2011. It is subject to change at any time.

**QUEENSLAND**

If you have a reason to suspect a child in Queensland is experiencing harm, or is at risk of experiencing harm, you need to contact Child Safety Services:

<http://www.communities.qld.gov.au/childsafety/about-us/contact-us> :

- **During normal business hours** - contact the Regional Intake Service. <http://www.communities.qld.gov.au/childsafety/about-us/contact-us/child-safety-service-centres/regional-intake-services>
- **After hours and on weekends** - contact the Child Safety After Hours Service Centre on **1800 177 135** or (07) 3235 9999. The service operates 24 hours a day, seven days a week.

If you believe a child is in immediate danger or in a life-threatening situation, contact the Queensland Police Service immediately by dialling **000**.

Queensland Police Service has a number of child protection and investigation units across Queensland. To contact the Queensland Police Service, contact the Police District Communication Centre nearest you.

(<http://www.police.qld.gov.au/forms/contact.asp#districtComms>).

If you aren't sure who to call, or for assistance to locate your nearest child safety service centre, contact Child Safety Services' Enquiries Unit on **1800 811 810**. Child safety service centres have professionally trained child protection staff who are skilled in dealing with information about harm or risk of harm to children.

**NEW SOUTH WALES**

Anyone who suspects, on reasonable grounds, that a child or young person is at risk of being neglected or physically, sexually or emotionally abused, should report it to Community Services.

Reasonable grounds is the standard that reporters must use in deciding whether or not to report to Community Services.

It does not mean that reporters are required to confirm their suspicions or provide solid proof before making a report. A useful rule of thumb is to consider whether another person, when faced with similar information, would also draw the same conclusion.

You can make a report by phoning the **Child Protection Helpline on 132 111** (TTY 1800 212 936) for the cost of a local call, 24 hours a day, 7 days a week.

**WESTERN AUSTRALIA**

If you are concerned about a child's wellbeing, contact the Department for Child Protection's district office closest to where the child lives or the Crisis Care Unit after hours. (<http://www.dcp.wa.gov.au/Organisation/ContactUs/Pages/ContactUs.aspx>)

If you believe a child is in immediate danger or in a life-threatening situation, contact the Western Australia Police immediately by dialling **000**.

If you make a report or disclose relevant information to the Department for Child Protection, there is legislative protection for the notifier. These are:

- Protection of identity - with some exceptions, your identity must not be disclosed without your consent. For further information, refer to section 240 of the *Children and Community Services Act 2004*
- Legal protection – you are not subject to legal liability under State law providing the information is provided in good faith.
- Professional protection – authorised disclosure of information cannot be held to constitute unprofessional conduct or a breach of professional ethics. As a result you cannot be disciplined by your professional body or incur any formal professional negative consequences at your workplace.

When you contact the Department, the Duty Officer will gather and record information that you provide and decide how best to respond. The type of information that the officer will gather includes:

- details about the child/young person and family
- the reasons you are concerned
- the immediate risk to the child
- whether or not the child or family has support
- what may need to happen to make the child safe
- your contact details, so that the officer can call you to obtain further information if required or to provide feedback.

You do not need to have all the details about the child or family when you contact the Department for Child Protection

For more information: <http://www.dcp.wa.gov.au/ChildProtection/>

### **VICTORIA**

Some professionals such as doctors, nurses, police and school teachers are legally obliged to report suspected child abuse. In addition, any person who believes on reasonable grounds that a child needs protection can make a report to the Victorian Child Protection Service. It is the Child Protection worker's job to assess and, where necessary, further investigate if a child or young person is at risk of harm.

For more information: <http://www.dhs.vic.gov.au/>

### **SOUTH AUSTRALIA**

Staff contractors and volunteers who work with children are mandated notifiers and have a legal obligation to report any suspicion of child abuse and/or neglect that they may form in the course of their employment or volunteer activity based on reasonable grounds. This obligation extends to persons holding a management position whose duties include direct responsibility for, or direct supervision of the provision of services to children.

Reports are made to the CHILD ABUSE HELP LINE 13 14 78

A reasonable suspicion must be based on facts, for example:

- A disclosure of abuse by a child
- Professional judgement, based on the notifier's experience and observations

The organisation has an obligation to make each affected person aware of this legal obligation.

There is no obligation that recreation or sporting organisations require mandated reporters to undertake formal external training in the recognition of child abuse.

The law also stipulates that no person shall threaten or intimidate, or cause damage, loss or disadvantage to another person because that person has made a notification or proposes to make a notification pursuant to the *Children's Protection Act 1993*.

For more information: [www.families.sa.gov.au/childsafe](http://www.families.sa.gov.au/childsafe).

### **NORTHERN TERRITORY**

In the Northern Territory any person who believes that a child is being, or has been, abused or neglected is required by law to report their concerns.

Reports should be made to the 24 hour Centralised Intake Service by using the free-call phone number **1800 700 250**.

Remember, you do not need to prove abuse or neglect, you need only report your concerns. The Care and Protection of Children Act provides legal protection against civil or criminal liability for people who make reports in good faith.

The Act also makes it clear that making a report does not breach any requirements of confidentiality or professional ethics.

For more information: [http://www.childrenandfamilies.nt.gov.au/Child\\_Protection/](http://www.childrenandfamilies.nt.gov.au/Child_Protection/)

### **AUSTRALIAN CAPITAL TERRITORY**

Care and Protection services is responsible for facilitating coordination across government for the care and protection of children and young people. Care and Protection services and an After Hours service, provide a continuum of service delivery to children and young people considered 'at risk' of serious harm.

Care and Protection Services is authorised to collect personal information under the *Children and Young People Act 2008* to ensure the safety and wellbeing of children and young people in the ACT. The information collected may be disclosed to government and non government agencies (including but not limited to the Australian Federal Police, ACT Children's Court, the Family Court, Health and Education Directorates and community organisations) to assist in ensuring the safety and wellbeing of children and young people. Information identifying a person making a child protection report is treated with the highest confidentiality and will not be disclosed except where a Court orders the disclosure.

For more information: [http://www.dhcs.act.gov.au/ocyfs/services/care\\_and\\_protection](http://www.dhcs.act.gov.au/ocyfs/services/care_and_protection)

**TASMANIA**

Most professionals who provide services to children and families in Tasmania are 'mandatory reporters' of child abuse, under the Children, Young Persons and their Families Act 1997. This includes, but is not limited to, the following groups:

- DHHS employees
- Child Care providers
- Dentists, dental therapists or dental hygienists
- Police officers and probation officers
- Psychologists
- Registered medical practitioners and nurses
- School principals and teachers
- Volunteers and employees of any organisation that provides health, welfare, education, care or residential services and which receives government funding.

To make an urgent notification about abuse or neglect to Child Protection Services, please ring 1300 737 639 at any time.

Child Protection Services prefer to talk to a notifier in order to aid them in gathering information. However, if it is after hours and you are a mandatory reporter, an online notification can also be made.

For more information: [http://www.dhhs.tas.gov.au/children/child\\_protection\\_services](http://www.dhhs.tas.gov.au/children/child_protection_services)

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## PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

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We will ensure that all the complaints we receive, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint.

This information, and any additional records and notes, will be treated confidentially (subject to disclosure required by law or permitted under this policy) and stored in a secure place.

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

We will ensure that everyone who works with our organisation in a paid or unpaid capacity understands how to appropriately receive and record allegations of child abuse and neglect and how to report those allegations to the relevant authorities in their state or territory.

### Attachment E1: CONFIDENTIAL RECORD OF INFORMAL COMPLAINT

Name of person receiving complaint		Date:     /     /
Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official                                      .....	
Location/event of alleged issue		
Facts as stated by complainant		

Nature of complaint (category/basis/grounds)  Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other .....
What they want to happen to fix issue	
What information provided	
What they are going to do now	

This record and any notes must be kept in a confidential place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to the CEO off AT.

**Attachment E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT**

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received:    /    /
Complainant's contact details	Phone: Email:	
Complainant's Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other .....
Name of person complained about (respondent)	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Respondent's Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other .....
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (category/basis/grounds)  Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimization <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other .....	
Methods (if any) of attempted informal resolution		



Formal resolution procedures followed (outline)	
If investigated: Finding -	
If went to hearing tribunal: Decision -  Action recommended -	
If mediated: Date of mediation - Were both parties present - Terms of Agreement -  Any other action taken -	
If went to appeals tribunal: Decision  Action recommended	
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve
Completed by	Name: Position: Signature: / /
Signed by:	Complainant:  Respondent:

This record and any notes must be kept in a confidential place. If the complaint is of a serious nature, or is escalated to and/or dealt with at the national level, the original must be forwarded to the national body and a copy kept at the club/state/district level (whatever level the complaint was made).

## Attachment E3: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

**If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.**

Fact sheets on reporting allegations of child abuse in different states and territories are available at [www.playbytherules.net.au](http://www.playbytherules.net.au).

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

All people working with AT in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

### Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

### Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the CEO of AT so that he or she can manage the situation.

**Step 3: Protect the child and manage the situation**

- The CEO will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is in paid employment with AT.
- The CEO will consider what services may be most appropriate to support the child and his or her parent/s.
- The CEO will consider what support services may be appropriate for the alleged offender.
- The CEO will put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

**Step 4: Take internal action**

- Up to three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
  - a criminal investigation (conducted by the police)
  - a child protection investigation (conducted by the relevant child protection agency)
  - a disciplinary or misconduct inquiry/investigation (conducted by AT).
- Regardless of the findings of the police and/or child protection agency investigations, AT will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.
- The CEO of AT will consider all information relevant to the matter – including any findings made by the police, the child protection authority and/or court – and then set out a finding, recommend actions and the rationale for those actions.
- If disciplinary action is recommended, we will follow the procedures set out in Clause 9 of our Member Protection Policy.
- We will provide the relevant government agency with a report of any disciplinary action we take, where this is required.

**Contact details for advice or to report an allegation of child abuse**

<b>Australian Capital Territory</b>	
ACT Police Non-urgent police assistance Ph: 131 444 <a href="http://www.afp.gov.au">www.afp.gov.au</a>	Office for Children, Youth and Family Services <a href="http://www.dhcs.act.gov.au/ocyfs/services/care_and_protection">www.dhcs.act.gov.au/ocyfs/services/care_and_protection</a> Ph: 1300 556 729
<b>New South Wales</b>	
New South Wales Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.nsw.gov.au">www.police.nsw.gov.au</a>	Department of Community Services <a href="http://www.community.nsw.gov.au">www.community.nsw.gov.au</a> Ph: 132 111
<b>Northern Territory</b>	
Northern Territory Police Non-urgent police assistance Ph: 131 444 <a href="http://www.pfes.nt.gov.au">www.pfes.nt.gov.au</a>	Department of Children and Families <a href="http://www.childrenandfamilies.nt.gov.au">www.childrenandfamilies.nt.gov.au</a> Ph: 1800 700 250
<b>Queensland</b>	
Queensland Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.qld.gov.au">www.police.qld.gov.au</a>	Department of Communities <a href="http://www.communities.qld.gov.au/childsafety">www.communities.qld.gov.au/childsafety</a> Ph: 1800 811 810
<b>South Australia</b>	
South Australia Police Non-urgent police assistance Ph: 131 444 <a href="http://www.sapolice.sa.gov.au">www.sapolice.sa.gov.au</a>	Department for Education and Child Development <a href="http://www.families.sa.gov.au/childsafes">www.families.sa.gov.au/childsafes</a> Ph: 131 478
<b>Tasmania</b>	
Tasmania Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.tas.gov.au">www.police.tas.gov.au</a>	Department of Health and Human Services <a href="http://www.dhhs.tas.gov.au/children">www.dhhs.tas.gov.au/children</a> Ph: 1300 737 639
<b>Victoria</b>	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 <a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>	Department of Human Services <a href="http://www.dhs.vic.gov.au">www.dhs.vic.gov.au</a> Ph: 131 278
<b>Western Australia</b>	
Western Australia Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.wa.gov.au">www.police.wa.gov.au</a>	Department for Child Protection <a href="http://www.dcp.wa.gov.au">www.dcp.wa.gov.au</a> Ph: (08) 9222 2555 or 1800 622 258

**Attachment E4: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION**

Before completing this form, please ensure that the steps outlined in Attachment D4 have been followed and advice has been sought from the police and/or the relevant child protection agency.

Complainant's Name (if other than the child)	Date Formal Complaint Received:    /    /	
Role/status in sport		
Child's name	Age:	
Child's address		
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)		
Name of person complained about		
Role/status in sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official    .....	
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	
Government / Child Protection agency contacted	Who: When: Advice provided:	

CEO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

This record and any notes must be kept in a confidential place and provided to the relevant authorities (police and government) should they require them.