



# **FOOTBALL FEDERATION AUSTRALIA NATIONAL MEMBER PROTECTION POLICY**

Effective from 20 July 2016

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## Message from the Chief Executive Officer

This Member Protection Policy aims to ensure Football Federation Australia Limited's (**FFA**) core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. Through this Policy, we aim to ensure that everyone involved in Football is aware of his or her legal and ethical rights and responsibilities.

This Policy also provides the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from Football. As part of this commitment, FFA will take disciplinary action against any person or organisation bound by this Policy if they breach it.

FFA is committed to providing an environment safe for children, which is free from harassment and abuse for everyone, and promotes respectful and positive behaviour and values. This Policy provides codes of conduct and behaviour that form the basis of appropriate and ethical conduct by which everyone must abide.

This Policy is an essential part of our organisation's proactive and preventative approach to tackling inappropriate behaviour.

As Chief Executive Officer, I endorse this Policy and am personally committed to ensuring that everyone associated with FFA complies with it.



.....  
**David Gallop**  
**Chief Executive Officer**

**20 August 2015**

## **PART A: Football Federation Australia Member Protection Policy**

### **1. Purpose of Policy**

- (a) This FFA Member Protection Policy (Policy) will work towards maintaining ethical and informed decision-making and responsible behaviours within our sport. It outlines our commitment to ensure every person covered by this Policy is treated with respect and dignity and is protected from discrimination, harassment and abuse. This Policy seeks to ensure that everyone involved in our sport at the national, state and local levels is aware of his or her key legal and ethical rights and responsibilities and the standards of behaviour that are expected of them.
- (b) The attachments to this Policy 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, this Policy allows FFA to take disciplinary action against any person or organisation bound by this Policy if they breach it.
- (c) The adoption of the Policy as an annexure to the FFA Statutes and as updated from time to time to reflect amendments to legislation and prevailing Australian Sports Commission standards has been approved by the Board of Directors of FFA. This current version of the Policy is effective from 20 August 2015 and will operate until replaced. Copies of the current Policy and its attachments can be obtained from FFA's website at [www.footballaustralia.com.au](http://www.footballaustralia.com.au).

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

This Policy applies to FFA, Member Federations, District Associations, Competition Administrators, Clubs, Officials, Intermediaries and Players (whether they are in a paid or unpaid capacity). To the fullest extent possible, it also applies to parents and guardians of Players and to Spectators at Matches. This Policy will continue to apply to a person, even after they have stopped their association or employment with FFA, if disciplinary action against that person has commenced.

### **3. Responsibilities of the Organisation**

FFA and the Member Federations of FFA (collectively, the **Governing Bodies**) must:

- (a) Adopt, implement and comply with this Policy;
- (b) In the case of the Member Federations make such amendments to their Constitutions, rules or policies necessary for this Policy to be enforceable;
- (c) Publish, distribute and promote this Policy and the consequences of breaches of this Policy;
- (d) Promote and model appropriate standards of behaviour at all times;
- (e) Promptly deal with any complaints made under this Policy in an appropriate manner;
- (f) Deal with any breaches of this Policy in an appropriate manner;
- (g) Recognise and enforce any penalty imposed under this Policy;

- (h) Ensure that a copy of this Policy is available or accessible to the persons and associations to whom this Policy applies;
- (i) Appoint appropriately trained people to the positions of Member Protection Information Officer (**MPIO**) and State Member Protection Information Officers, respectively, to receive and manage complaints and allegations; and
- (j) Monitor and review this Policy on a regular basis.

#### **4. Individual Responsibilities**

Individuals bound by this Policy must:

- (a) Make themselves aware of the contents of this Policy;
- (b) Comply with all relevant provisions of this Policy, including any codes of conduct and steps for making a complaint or reporting possible child abuse set out in this Policy;
- (c) Consent to the screening requirements set out in this Policy and any state/territory Working With Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law;
- (d) Place the safety and welfare of children above other considerations;
- (e) be accountable for their behaviour; and
- (f) Comply with any decisions and/or disciplinary measures imposed under this Policy.

#### **5. Position Statements**

##### **5.1 Child Protection**

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

The Governing Bodies acknowledge that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in football. The Governing Bodies aim to continue this and to take measures to protect the safety and wellbeing of children participating in football by:

##### **5.1.1 Identifying and Analysing Risk of Harm**

The Governing Bodies will develop and implement risk management strategies, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another child.

##### **5.1.2 Developing Codes of Conduct for Adults and Children**

The Governing Bodies will ensure that there is a FFA Working With Children Code of Conduct that specifies standards of conduct and care when dealing and interacting with children, particularly those in the care of one of the Governing Bodies.

The Working With Children Code of Conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour and will address appropriate behaviour between children (see Part B of this Policy).

### **5.1.3 Choosing Suitable Employees and Volunteers**

The Governing Bodies will ensure that all reasonable steps are taken to ensure that the most suitable and appropriate people to work with children (in prescribed positions) are engaged.

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.

The Governing Bodies will ensure that Working With Children Checks/criminal history assessments are conducted for employees 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, the Governing Bodies will ensure that the criminal history information is dealt with in accordance with relevant state requirements (see Part C of this Policy).

### **5.1.4 Supporting, Training, Supervising and Enhancing Performance**

The Governing Bodies will ensure that their volunteers and employees who work with children or children's records 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.

### **5.1.5 Empowering and Promoting the Participation of Children in Decision-Making and Service Development**

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

### **5.1.6 Report and Respond Appropriately to Suspected Abuse and Neglect**

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

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

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 Working With Children Code of Conduct they may make an internal complaint. Please refer to our complaints procedure outlined in Part D of this Policy. This will explain what to do about the behaviour and how the Governing Bodies will deal with the problem.

## **5.2 Taking Images of Children**

There is a risk that images of children may be used inappropriately or illegally. The Governing Bodies require that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child who is not their own and ensure that the parent knows how the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets which we control or are used in connection with our sport.

If any of the Governing Bodies use 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. The Governing Bodies will not display personal information such as residential address, email address or telephone numbers without gaining consent from the child's parent/guardian. The Governing Bodies will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by pedophiles or other persons. The Governing Bodies will only use appropriate images of a child, 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 the Governing Bodies will seek permission to use these images.

The Governing Bodies require Members, including Associations and Clubs, to do likewise.

### **5.3 Anti-Discrimination and Harassment**

The Governing Bodies oppose all forms of harassment, discrimination and bullying. The Governing Bodies are 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. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying, based on personal characteristics such as those listed in the Dictionary at section 9 of this Policy, are against the law.

#### **5.3.1 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, Territory or Federal anti-discrimination laws.

The personal characteristics protected by anti-discrimination laws include those listed in the definition of Discrimination in this Policy.

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.

#### **5.3.2 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, Territory or Federal anti-discrimination laws.

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.

### **5.3.3 Prohibition against Discrimination and Harassment**

We prohibit all forms of Harassment and Discrimination.

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 the relevant Governing Body. Please refer to the FFA Complaints Procedure outlined in **Attachment D1** of this Policy. This will explain what to do about the behaviour and how the Governing Bodies will deal with the problem. In addition to making an internal complaint, in some circumstances a person may be able to make a complaint to an external organisation.

## **5.4 Intimate Relationships**

The Governing Bodies understand 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.

The Governing Bodies take the position that consensual intimate relationships between coaches or officials and the adult athletes that they coach should be avoided as these relationships can have harmful effects on the individual athlete involved, on other athletes and coaches, and on football's public image. Such relationships may be intentionally or unintentionally, or perceived to be, exploitative due to a disparity between coaches or officials and athletes in terms of authority, power, maturity, status, influence and dependence.

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 an athlete and a coach or official, relevant factors include, but are not limited to:

- the relative age and maturity of the athlete;
- any potential vulnerability of the athlete;
- the 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 the power imbalance between the athlete and the coach or official; and
- the likelihood of the relationship having any 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 guidance from the Member Protection Information Officer, State Member Protection Information Officer or other official to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

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

In the event that an athlete attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. If a coach, official or athlete believes they are, or have been harassed, they are encouraged to seek information and support from the MPIO or the relevant State Member Protection Information Officer if they feel harassed. The Complaints Procedure is outlined in Part D of this Policy.

## **5.5 Pregnancy**

The Governing Bodies are committed to treating pregnant women fairly and to removing any unreasonable barriers to participation by them in our sport. FFA will not tolerate any discrimination or harassment against pregnant women.

While many sporting activities are safe for pregnant women, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the sporting activity and the particular pregnant woman's circumstances. 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 football.

The Governing Bodies recommend that pregnant women wanting to participate in our sport consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation. FFA will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if we require other participants to sign one in similar circumstances. FFA will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint. Please refer to our complaints procedure outlined in Part D of this Policy.

## **5.6 Gender Identity**

Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other than male or female. Some terms used to describe a person's gender identity include trans, transgender and gender diverse.

### **5.6.1 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

The Governing Bodies are committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate. All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times.

FFA 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 or who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual.

FFA expects all people bound by this Policy to act with sensitivity when a person is undergoing gender transition /affirmation.

If a 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, he or she may make a complaint. Please refer to our complaints procedure outlined in Part D of this Policy.

### **5.6.2 Participation in Sport**

The Governing Bodies recognise that excluding people from participation in sporting events and activities because of their gender identify may have significant implications for their health, well-being and involvement in community life. FFA is committed to facilitating participation in football on the basis of the gender with which the person identifies.

If issues of performance advantage arise, the relevant Governing Body will consider whether the established discrimination exceptions for participation in sport are relevant in the particular circumstances.

FFA 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, we will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by FFA.

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 (**WADA**) Prohibited List, should apply for a standard Therapeutic Use Exemption.

### **5.6.3 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.

The Governing Bodies are committed to providing a fair, safe and inclusive sporting environment where all people can contribute and participate. The Governing Bodies will not tolerate any unlawful Discrimination or Harassment of a person because of their Intersex status.

## **5.7 Alcohol Policy**

The Governing Bodies recommend that District Associations and their member Clubs adhere to strict guidelines regarding the responsible consumption of alcohol. Responsible service and consumption of alcohol should apply to any alcohol to be consumed during or after the competition has concluded. Responsible service of alcohol will entail:

- (a) Making sure light alcohol and soft drinks are always available as alternatives to full strength alcohol;
- (b) Wherever possible, food being available to be consumed when alcohol is available;

- (c) Transport policies, and Board/Committee Members being in attendance to ensure appropriate practices are followed.

Further, guidance on developing an Alcohol Policy available at [www.playbytherules.net.au/resources/club-toolkit](http://www.playbytherules.net.au/resources/club-toolkit).

## **5.8 Smoking Policy**

The following policies should be applied to all football-related events (including matches and social functions):

- (a) No smoking shall occur at or near any sporting event or competition involving persons under the age of 18, and this Policy applies to all coaches, players, trainers, officials and volunteers;
- (b) Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas;
- (c) Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity for any of the Governing Bodies, Club or representative team, on and off the field.

## **5.9 Bullying**

The Governing Bodies are committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in serious negative consequences for an individual's health and wellbeing, and all forms of bullying is regarded by the Governing Bodies as unacceptable in this 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, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group.

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

The following types of behaviour, where repeated or occupying 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. Given the emergence of new telephone and internet social networks, the opportunity for unwanted and improper comments and statements has dramatically increased. Messages or statements made in these ways using these means of communication are largely instantaneous, and can easily be abused. Others may also manipulate a person by encouraging a statement to be made on Twitter, Facebook, My Space or LinkedIn, for example, when the writer may be upset or vulnerable. 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 referee, 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 Competition Administrator, Club, District Association or Member Federation.

If a person believes they are being, or have been, bullied by another person or organization bound by this Policy, he or she may make a complaint. Please refer to our complaints procedure outlined in Part D of this Policy.

#### **5.10 Social Media Policy**

The Governing Bodies acknowledge the emergence of new technology and communication mediums (**Social Media**), and wish to enable such Social Media to be used to benefit football and its participants, and to applaud achievements. However, participants within football need to be mindful of the possibility of Social Media being used inappropriately. Inappropriate use may occur unintentionally or when participants do not realise that their comments, once published are in a public forum, and are difficult to retract.

Social Media platforms include:

- (a) social networking sites, including Facebook, MySpace, and LinkedIn;
- (b) video and photo sharing websites, including Flickr and YouTube;
- (c) micro-blogging sites, such as Twitter;
- (d) weblogs, including personal blogs or blogs hosted by traditional media publications;
- (e) forums and discussion boards, including those operated by Fox Sports, Four Four Two or The World Game;
- (f) online encyclopaedias, such as Wikipedia; and
- (g) any other web site that allow individual users or companies to use simple publishing tools.

Cautions the Governing Bodies recommend include:

- (a) do not include personal information of yourself or others in Social Media channels;
- (b) do not use offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, intimidating, sexually explicit, bullying, sexist, racist, provocative, hateful or otherwise provocative language in Social Media channels;
- (c) use your best judgment – do not publish something that makes you the slightest bit uncomfortable, and never write/ publish if you are feeling emotional or upset (or are intoxicated);
- (d) always ask for a person's permission before posting their picture on Social Media platform;

- (e) never comment on rumours, do not deny or affirm them or speculate about rumours in Social Media channels;
- (f) do not include information which is in breach of laws, court orders, undertakings or contracts; and
- (g) always use Social Media/ network forums to add value and promote football in a positive way.

In addition to this Policy, FFA may from time to time issue Social Media policies and/ or guidelines that apply to specific individuals.

## 6. Complaints Procedures

### 6.1 Complaints

Any person may report a complaint about a Member bound by this Policy if they reasonably think that a Member has breached this Policy or has otherwise engaged in unethical or inappropriate conduct or behaviour.

FFA aims to provide a simple procedure for complaints based on the principles of Procedural Fairness. Any person (**Complainant**) may report a complaint about a person/s or organisation bound by this Policy (**Respondent**) if they feel they have been discriminated against, harassed, bullied, or there has been any other breach of this Policy. Such complaints should be reported to the MPIO or the relevant State Member Protection Information Officer.

The Complaints Procedure outlined at Part D of this Policy applies exclusively to the reporting, investigation and resolution of complaints reported under this Policy.

FFA and the Member Federations:

- (a) must deal with any complaints about breaches of this Policy promptly, seriously, sensitively and confidentially and in accordance with the Complaints Procedure;
- (b) must keep complaints confidential and will not disclose to another person without the complainant's consent, except if required by law or if disclosure is necessary to effectively deal with the complaint; and
- (c) recognise that Procedural Fairness is the minimum standard of fairness to be applied in the investigation and adjudication of a complaint.

The lowest level at which a matter can be dealt with shall always be preferred. Therefore, if a Complaint relates to behaviour or an incident that occurred at the:

- (a) 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;
- (b) State level or involves people operating at the state level, then the complaint should be reported to and handled by the relevant Member Federation in the first instance; or
- (c) National level, then the complaint should be reported to and handled by the FFA.

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

A Complainant:

- (a) must initially attempt to resolve the complaint with the person involved; and

- (b) if this is not possible or reasonable given the sensitivity of the complaint, or that attempt does not provide a satisfactory outcome, the Complainant may notify the MPIO or the relevant State Member Protection Information Officer and make an informal or formal complaint.

FFA aims for our Complaints Procedure to have integrity and be free of unfair repercussions or victimisation. 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 Disciplinary Committee for appropriate action which may include disciplinary action against the Complainant.

FFA 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.

A complaint may be dealt with informally or formally, depending on whether an informal or formal complaint was lodged in accordance with this Policy (see attachments E1 and E2). The Complainant may indicate his or her preferred option and the MPIO or relevant State Member Protection Information Officer will consider whether that is an appropriate way to handle the Complaint. Further, the MPIO or relevant State Member Protection Information Officer may consider 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.

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

## **6.2 Improper Complaints & Victimisation**

The Governing Bodies aim for the 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 or relevant State Member Protection Information Officer considers that a complainant has **knowingly** made an untrue complaint or the complaint is malicious or inappropriately intended to cause distress to the person complained of, the matter may be referred in writing to the relevant Governing Body for appropriate action which may include disciplinary action against the complainant.

The applicable Governing Body 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.

## **6.3 Mediation**

The Governing Bodies should aim to resolve complaints with a minimum of fuss. Complaints may be resolved by agreement between the people involved with no need for disciplinary action. Mediation allows those involved to be heard 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 or applicable State Member Protection Information Officer will, in consultation with the complainant, arrange for a neutral third party mediator where possible. Lawyers are able to participate in the mediation process. More information on the mediation process is outlined at Part D2 of this Policy.

#### **6.4 Tribunals – Hearings and Appeal**

A Tribunal may be convened by FFA in its discretion to hear a formal complaint in the following circumstances:

- (a) for an alleged breach of this Policy, as described in section 7 of this Policy; and
- (b) when referred to it by:
  - (i) the CEO or Chairman/President of the relevant Member Federation because of the serious nature of the event or the inability to resolve the matter at the Member Federation level;
  - (ii) the FFA MPIO.

The FFA Tribunal Procedure is set out in the FFA Grievance Resolution Regulations (as defined).

A Tribunal may be convened by a Member Federation to hear a formal complaint:

- (a) Referred to it by an Association because of the serious nature of the event or the inability to resolve the matter at the Association level;
- (b) Referred to it by the State Member Protection Information Officer; and/or
- (c) For an alleged breach of this Policy, as described in section 7.

The Member Federation Tribunal procedure can be obtained from the relevant Member Federation and information is supplied on the Member Federation's website.

A respondent may lodge an appeal only to the Appeal Tribunal in respect of a Tribunal decision in accordance with the Grievance Resolution Regulations. The decision of the Appeal Tribunal is final and binding.

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

#### **7. 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:

- (a) Breaching the Working With Children Code of Conduct;
- (b) Bringing football and/or any of the Governing Bodies into disrepute, or acting in a manner likely to bring football and/or any of the Governing Bodies into disrepute;
- (c) Failing to follow FFA Statutes, Regulations and policies (including this Policy) and procedures for the protection, safety and wellbeing of children;
- (d) Discriminating against, harassing or bullying (including cyber-bullying) any person;
- (e) Victimising another person for reporting a complaint;
- (f) Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- (g) Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- (h) Disclosing to any unauthorised person or organisation any information of a Governing Body that is of a private, confidential or privileged nature;

- (i) Making a complaint they knew to be untrue, vexatious, malicious or improper;
- (j) Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this Policy; or
- (k) Failing to comply with a direction given to the individual or organisation during the discipline process.

## **8. 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:

- (a) Be applied consistent with any contractual and employment rules and requirements;
- (b) Be fair and reasonable;
- (c) Be based on the evidence and information presented and the seriousness of the breach; and
- (d) Be determined in accordance with Part V of the FFA Statutes.

### **8.1 Individual**

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

- (a) A direction that the individual make a verbal and/or written apology;
- (b) A written warning;
- (c) A direction that the individual attend counselling to address their behaviour;
- (d) A withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by the applicable Member Federation and/or FFA;
- (e) A demotion or transfer of the individual to another location, role or activity;
- (f) A suspension of the individual's membership or participation or engagement in a role or activity;
- (g) Termination of the individual's membership, appointment or engagement;
- (h) A recommendation that the applicable Governing Body terminate the individual's membership, registration, appointment or engagement;
- (i) 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;
- (j) A fine; or
- (k) Any other form of discipline that Tribunal considers appropriate within the limitations described in Part V of the FFA Statutes.

### **8.2 Organisation**

If a finding is made that any Governing Body has breached this Policy, one or more of the following forms of discipline may be imposed by the Tribunal:

- (a) A written warning;



- (b) A fine;
- (c) A direction that any rights, privileges and benefits provided to that organisation by FFA or other peak association be suspended for a specified period;
- (d) A direction that any funding granted or given to it by the relevant Governing Body cease from a specified date;
- (e) A direction that the relevant Governing Body cease to sanction events held by or under the auspices of that organisation;
- (f) A recommendation to the relevant Member Federation that its membership of the FFA be suspended or terminated in accordance with the relevant constitution or rules; and/or
- (g) Any other form of discipline that the Tribunal considers to be reasonable and appropriate.

### 8.3 Factors to consider

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

- (a) The nature and seriousness of the breach;
- (b) If the person(s) knew or should have known that the behaviour was a breach;
- (c) The level of contrition;
- (d) The effect of the proposed disciplinary measures on the person(s) including any personal, professional or financial consequences;
- (e) If there have been relevant prior warnings or disciplinary action;
- (f) The ability to enforce discipline if the person(s) is a parent or spectator (even if they are bound by the Policy); and/or
- (g) Any other mitigating circumstances.

## 9. 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.

In the event that a capitalised term within this Policy is not defined within this Dictionary, its definition is as contained within the FFA Statutes.

**Abuse** is the violation of an individual's human or civil rights through the action or actions of another person or persons. Types of abuse include physical abuse, psychological or emotional abuse, sexual abuse, constraints and restrictive practices, financial abuse, legal and civil abuse and systematic abuse.

**ASADA** is the Australian Sports Anti-Doping Authority.

**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:

- a) Physical abuse, which occurs when a child has suffered or is at risk of suffering non-accidental physical trauma or injury. This may include, but is not limited to, hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity.
- b) Sexual abuse, which occurs when an adult, other child or adolescent uses their power or authority to involve a child in a sexual activity or any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).
- c) Emotional abuse, which occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism, hostility, teasing/bullying, humiliation, taunting, sarcasm, yelling, negative criticism, name calling, or placing unrealistic expectations on a child.
- d) Neglect, which occurs when, a child's basic necessities of life are not met and their health and development are affected. Basic needs include food, water, shelter, adequate clothing, personal hygiene, timely provision of medical treatment and adequate supervision.

**Complaint** means a complaint made under section 6 of this Policy.

**Complainant** means a person making a complaint under section 6 of this Policy.

**Discrimination** means treating or proposing to treat someone less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws. This is known as direct discrimination. Indirect discrimination occurs when there is (or is proposed) an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics. The characteristics covered by discrimination law across Australia include, but are not limited to:

- a) Age;
- b) Disability, mental and physical impairment;
- c) Family/carer responsibilities;
- d) Sex or gender;
- e) Gender identity;
- f) Intersex status;;
- g) Irrelevant medical record;
- h) Irrelevant criminal record;
- i) Lawful sexual orientation;
- j) Marital status;
- k) Member of association or organisation of employees or employers industrial activity or trade union activity;
- l) Physical features
- m) Political belief/activity;
- n) Pregnancy, potential pregnancy and breastfeeding;

- o) Profession, trade, occupation, or calling;
- p) Race;
- q) Religion, religious belief/activity;
- r) Sexual orientation;
- s) Social origin or natural extraction;
- t) Association with a person who has, or is assumed to have, one or more of the characteristics listed above.

*Examples of Discrimination include:*

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

Some exceptions to State, Territory and Federal anti-discrimination law apply, including exceptions for sporting activities, such as:

- a) holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years);
- b) 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
- c) 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 sporting activity.

FFA Statutes means FFA's statutes as promulgated by FFA from time to time, including its constitution and by-laws and rules and regulations and policies and procedures (including the Grievance Resolution Regulations).

**Gender identity** refers to a person's deeply held internal and individual sense of gender.

**Gender expression** refers to the way in which a person externally expresses their gender or how they are perceived by others.

**Governing Bodies** means FFA and the Member Federations of FFA.

**Grievance Resolution Regulations** means the FFA Grievance Resolution Regulations promulgated by FFA or such document that supersedes or replaces the FFA Grievance Resolution Regulations which is available on FFA's website at <http://www.footballaustralia.com.au/insideffa/statutes>

**Harassment** is any type of unwelcome behaviour which has the effect of offending, humiliating or intimidating the person. The behaviour is unwelcome and a reasonable person would recognise it as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment can be based on any of the personal characteristics covered by anti-discrimination law such as a person's race, sex, pregnancy, marital status or sexual orientation (see characteristic list under Discrimination). Unlawful harassment includes Sexual Harassment.

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal, and includes electronic cyber communication.

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 definition of Vilification.

**Intersex** refers to people who have genetic, hormonal or physical characteristics that are not exclusively 'male' or 'female'. A person who is intersex may identify as male, female, intersex or as being of indeterminate sex.

**Investigator** means the person appointed pursuant to Step 4 of the Complaint Handling Procedures as outlined at Part D.

**Member Federation** has the same meaning as in the FFA Statutes, being a State, Territory or regional federation or association that is a member or interim member of FFA from time to time and includes:

- a) Football Federation South Australia [www.ffsa.com.au/](http://www.ffsa.com.au/);
- b) Football Federation Victoria [www.footballfedvic.com.au/](http://www.footballfedvic.com.au/);
- c) Football New South Wales [www.footballnsw.com.au/](http://www.footballnsw.com.au/);
- d) Northern New South Wales Football [www.northernnswfootball.com.au/](http://www.northernnswfootball.com.au/);
- e) Football Queensland [www.footballqueensland.com.au/](http://www.footballqueensland.com.au/);
- f) Football Federation Northern Territory [www.footballnt.com.au/](http://www.footballnt.com.au/);
- g) Football West [www.footballwest.com.au/](http://www.footballwest.com.au/);
- h) Football Federation Tasmania [www.footballfedtas.com.au/](http://www.footballfedtas.com.au/);

- i) Capital Football [www.capitalfootball.com.au/](http://www.capitalfootball.com.au/).

**Member Protection Declaration** means the declaration contained at Attachment C1 of this Policy.

**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 at the FFA level. The MPIO provides impartial and confidential support to the person making the complaint.

**Procedural Fairness** incorporates the following principles:

- a) both the Complainant and the Respondent must know the full details of what is being said against them and have the opportunity to respond;
- b) no person may judge their own case; and
- c) the decision maker/s must be unbiased, fair and just.

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

**Policy** means this FFA National Member Protection Policy.

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

**Sexual Harassment** means unwelcome behaviour of a sexual nature which could reasonably be expected to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwelcome physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Sexual Harassment does not have to be intentional.

**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):

- a) Rape;
- b) Indecent assault;
- c) Sexual assault;
- d) Assault with intent to have sexual intercourse;
- e) Incest;
- f) Sexual penetration of child under the age of 16 years;
- g) Indecent act with child under the age of 16 years;
- h) Sexual relationship with child under the age of 16 years;
- i) Sexual offences against people with impaired mental functioning;
- j) Abduction and detention;
- k) Procuring sexual penetration by threats or fraud;
- l) Procuring sexual penetration of child under the age of 16 years;
- m) Bestiality;
- n) Soliciting a child under the age of 16 years to take part in an act of sexual penetration or an indecent act;
- o) Promoting or engaging in acts of child prostitution;
- p) Obtaining benefits from child prostitution;

- q) Possession of child pornography; and
- r) Publishing child pornography and indecent articles.

**Sexual orientation** refers to a person's emotional or sexual attraction to another person, including, amongst others, the following identities: heterosexual, gay, lesbian, bisexual, pansexual, asexual or same-sex attracted.

**State Member Protection Information Officers** means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy at the Member Federation level. The State Member Protection Officer provides impartial and confidential support to the person making the complaint. The contact details of the State Member Protection Information Officers are available on the relevant Member Federation's website.

**Transgender** is an umbrella term that refers to a person whose gender identity is different to their physical sex as recorded at birth. Transitioning refers to the process where a transgender person commences living as a member of another sex. This is sometimes referred to as the person 'affirming' their gender because transitioning means they start living in what they identify as their true gender. For people who are transitioning/affirming their gender, having their identity fully recognised in all areas of life is a crucial part of the experience of living as their affirmed gender.

**Tribunal** means the Tribunal granted jurisdiction to hear complaints made under this Policy pursuant to the FFA Statutes.

**Victimisation** means treating someone unfairly or unfavourably, or threatening to do so, because that person has or intends to pursue their rights to make any complaint including a complaint under government legislation (e.g. anti-discrimination legislation) or under this Policy, or for supporting such a person.

**Vilification** means behaviour that occurs in public which incites hatred towards, serious contempt for, or revulsion or severe ridicule of a person or group of persons because that person or persons have particular personal 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.

**Working With Children Check or WWCC** means the relevant process for assessing or re-assessing whether a person is suitable to work in child-related work in that state or territory.

**Working With Children Code of Conduct** means FFA Working With Children Code of Conduct in Part B of this Policy.

**World Anti-Doping Agency's Prohibited List** means the list published by the World Anti-Doping Agency. It identifies substances and methods prohibited in-competition, out-of-competition and in particular sports.

## **PART B: FFA CODES OF BEHAVIOUR**

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This Code of Behaviour aims to set out the minimum standards for anyone involved in football. It should apply when playing, training or taking part in club-sanctioned activities.

### **1. Coaches Code of Conduct**

In addition to the FFA Code of Conduct, you must meet the following requirements during any activity held or sanctioned by FFA or a Member Federation and in your role as a coach of FFA or a Member Federation:

- (a) Operate within FFA rules and promote integrity and good character amongst participants.
- (b) Encourage and support opportunities for participants to learn appropriate behaviours and skills in all aspects of the sport.
- (c) Treat each participant as an individual.
- (d) Help each participant reach their potential - respect the talent, developmental stage and goals of each individual and encourage with positive and supportive feedback.
- (e) Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with participants under the age of 18 years.
- (f) Place the safety and welfare of the participants above all else.
- (g) Adopt appropriate and responsible behaviour and ensure that your decisions and actions contribute toward creating an environment which minimises participant behaviour likely to bring the game of football into disrepute. Such behaviour is not to be tolerated and includes:
  - i. Discriminatory behaviour, including public disparagement of, discrimination against, or vilification of, a person on account of their gender, ability, cultural background or religion;
  - ii. Offensive behaviour, including abusive, obscene, harmful, provocative or insulting gestures, language or chanting;
  - iii. Intimidation of match officials, coaches or administrators or the use of actions to pressure a match official, coach or administrator to take or omit to take certain action regardless of where such action is taken;
  - iv. Unwelcome physical contact or harassment which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstances;
  - v. Abuse of position to obtain personal benefit;
  - vi. Commission or charge of a criminal offence; or
  - vii. Any other conduct, behaviour or statement that materially injures the reputation and goodwill of FFA or football generally.

### **2. Participants Code of Conduct**

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by FFA or a Member Federation and in your role as participants of FFA or a Member Federation:

- (a) Respect the rights, dignity and worth of fellow participants, coaches, officials and spectators.

- (b) Respect the talent, potential and development of fellow team members and competitors.
- (c) Care and respect the equipment provided to you as part of your program.
- (d) Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
- (e) Maintain honesty in your attitude and preparation to training. Work equally hard for yourself and your team.
- (f) Cooperate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.
- (g) Ensure that you do not exhibit behaviour that is likely to be construed as bringing the FFA or the game of football into disrepute, as outlined by Article 1(g).

### **3. Officials Code of Conduct**

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by FFA or a Member Federation and in your role as an official appointed by FFA or a Member Federation:

- (a) Operate within FFA rules and promote integrity and good character amongst participants.
- (b) Encourage and support opportunities for participants to learn appropriate behaviours and skills in all aspects of the sport.
- (c) Treat each participant as an individual.
- (d) Help each participant reach their potential - respect the talent, developmental stage and goals of each individual and encourage with positive and supportive feedback.
- (e) Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with participants under the age of 18 years.
- (f) Place the safety and welfare of the participants above all else.
- (g) Maintain consistency and impartiality when making decisions
- (h) Address unsporting behaviour and promote respect for all participants
- (i) Adopt appropriate and responsible behaviour and ensure that your decisions and actions contribute toward creating an environment which minimises participant behaviour likely to bring the game of football into disrepute. Such behaviour is not to be tolerated and includes:
  - i. Discriminatory behaviour, including public disparagement of, discrimination against, or vilification of, a person on account of their gender, ability, cultural background or religion;
  - ii. Offensive behaviour, including abusive, obscene, harmful, provocative or insulting gestures, language or chanting;
  - iii. Intimidation of match officials, coaches or administrators or the use of actions to pressure a match official, coach or administrator to take or omit to take certain action regardless of where such action is taken;
  - iv. Unwelcome physical contact or harassment which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstances;
  - v. Abuse of position to obtain personal benefit;
  - vi. Commission or charge of a criminal offence; or



- vii. Any other conduct, behaviour or statement that materially injures the reputation and goodwill of FFA or football generally.

#### **4. Parent/Guardian Code of Conduct**

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by FFA or a Member Federation and in your role as a parent/guardian of a participant of FFA or a Member Federation:

- (a) Treat your child the same irrespective of them winning or losing.
- (b) Remember that your child participates in the sport of football for their enjoyment and not yours.
- (c) Try to have fun when you are around your children at competitions. Well-directed humour can be a great de-stressor.
- (d) Look relaxed, calm and positive on the sidelines.
- (e) Make friends with other parents at competitions.
- (f) Get involved in appropriate ways if your child or the coach behaves in unacceptable ways during competitions.
- (g) Let the coach do the coaching
- (h) Understand that children will benefit from a break sometimes and that involvement in other sports is acceptable.
- (i) Be there when your child performs poorly. Be an understanding listener rather than a critic, judge and/or fixer.
- (j) Be prepared to give your child some space so that he/she can grow and develop as an independent person.
- (k) Let your child know that your love for them is not associated with their sporting performances.
- (l) Communicate with your child and ask them how they are really feeling about their sport and about competing in particular.
- (m) Occasionally let your child compete without you being there and hovering over them.
- (n) Emphasise the good things your child did in preparing for and during the competition.
- (o) Try to avoid:
  - i. Saying “we’re competing today” and instead say “you’re competing today”; give your child credit for accepting the responsibility of performing;
  - ii. Getting too pushy or believing that you are indispensable, let the coach do the coaching;
  - iii. Living through your child’s performances;
  - iv. Turning away when your child performs;
  - v. Turning away when your child’s behaviour is unsportsmanlike;
  - vi. Telling your child what he/she did wrong after a tough competition;
  - vii. Making enemies with your child’s opponents or family during a competition;

- viii. Making your child feel guilty by reminding them about all the time, money and sacrifices you are making for his or her sport;
- ix. Thinking of your child's sporting performances as an investment for which you expect a return;
- x. Badgering, harassing or use sarcasm to motivate your child;
- xi. Comparing your child's performances with those of other children; or
- xii. Forcing your child to go to training, if they are sick of training find out why and discuss it with them.

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

### **Background**

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. In all States and Territories, there are state-specific or territory-specific laws requiring 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. This is done by checking certain criminal history and other matters. In some states this also involves reviewing relevant findings from disciplinary proceedings. There are also requirements placed on organisations.

Please be aware that State and Territory WWCC requirements may also apply to individuals who visit states with screening laws. For example, if a state association or club takes players under 18 into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with NSW law.

The State and Territory WWCC requirements apply regardless of any provisions within this Policy.

The following attachments provide:

- a) Where to obtain information and relevant forms in relation to state and territory WWCC requirements;
- b) Our Member Protection Declaration.

### **10. Please note: Working With Children Check exemptions**

In some states and territories there are exemptions to Working With Children Checks for paid employees and volunteers who are required to cross state or territory borders for work related purposes.

These exemptions may be for up to 30 days in any 12 month period and may enable workers to participate in national and inter-jurisdictional activities on a short-term basis. This means that volunteers and workers (potentially with or without a valid WWCC in their home state or territory) may be able to participate in short-term activities across state and territory borders without the need for additional checks.

Accordingly, FFA suggests that personnel intending to participate in activities across state and territory borders check whether they may do so under a relevant exemption or whether they need to apply for a WWCC.

## **Attachment C1: MEMBER PROTECTION DECLARATION**

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FFA has a duty of care to all those associated with the sport and to the individuals and organisations to whom our Member Protection Policy applies. As a requirement of our Member Protection Policy, FFA 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 FFA 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: .....

## **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. There is no national legislation or national child protection scheme. However, each state and territory has child protection laws which specify the responsibilities of organisations and individuals who work with children in those states and territories.

Employees, volunteers, independent contractors and other workers in contact with children must ensure they meet the requirements of the applicable state or territory legislation and hold a current Working With Children Check clearance.

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 – Working with Vulnerable People**

Contact the Office of Regulatory Services

Website: [www.accessc Canberra.act.gov.au/app/answers/detail/a\\_id/1804](http://www.accessc Canberra.act.gov.au/app/answers/detail/a_id/1804)

Phone: 02 6207 3000

### **New South Wales – Working with Children Check**

Contact the Office of the Children's Guardian

Website: [www.kidsguardian.nsw.gov.au/working-with-children](http://www.kidsguardian.nsw.gov.au/working-with-children)

Phone: 02 9286 7219

### **Northern Territory – Working with Children Clearance Notice**

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 – Blue Card System**

Contact the Queensland Government Blue Card Services

Website: <http://www.bluecard.qld.gov.au/>

Phone: 1800 113 611

### **South Australia – Child Related Employment Screening**

Contact the Department for Communities and Social Inclusion

Website: [www.dcsi.sa.gov.au/services/screening](http://www.dcsi.sa.gov.au/services/screening)

Phone: 1300 321 592

### **Tasmania – Working with Children Registration**

Contact the Department of Justice

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

Phone: 1300 13 55 13

### **Victoria – Working with Children Check**

Contact the Department of Justice and Regulation

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

Phone: 1300 652 879

**Western Australia – Working with Children Check**

Contact the Department of Child Protection

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

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

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

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All complaints will be kept confidential where possible 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.

Depending on the nature of 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, FFA may have difficulty assisting you to resolve your complaint. Procedural Fairness means that FFA is required to provide the person/people you have complained about with full details of the complaint so they have an opportunity to be heard and/ or to respond.

#### **INFORMAL COMPLAINTS**

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

In the first instance, you (**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 the MPIO or relevant State MPIO if:

- The first step is not appropriate;
- 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 concern continues after you tried to approach the person or people involved.

The contact information for the State Member Protection Information Officers can be found on the websites of the relevant Member Federations. The MPIO can be contacted by emailing [mpio@footballaustralia.com.au](mailto:mpio@footballaustralia.com.au).

The MPIO or relevant State Member Protection Information Officer will:

- Take confidential notes about your complaint;
- Try to find out the facts of the problem;
- Ask what outcome/how you want your concern to be resolved and if you need support;
- Seek to provide possible options for you to address your concern;
- Explain how the Complaints Procedure works;
- Act as a support person if you so wish;
- Refer the complainant back to attempt to resolve the complaint directly with the other person involved, if necessary;
- Keep a written record in Attachment E1 (Record of Informal Complaint);
- Refer you to an appropriate person (e.g. mediator) to help you address your concern, if appropriate;
- Inform the relevant government authorities and/or police if required by law to do so;
- Where possible and appropriate, maintain confidentiality.

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

After talking with the MPIO or relevant State Member Protection Information Officer, 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 the MPIO or relevant State Member Protection Information Officer);
- To seek a mediated resolution with the help of a third person (such as a mediator); or
- To make a formal complaint to the MPIO on a completed and signed Attachment E2 (Record of Formal Complaint).

## FORMAL COMPLAINTS

### Step 4: Making a Formal complaint

If your informal complaint is not resolved or informal approaches have not resolved the complaint to the complainant's satisfaction or are not appropriate or possible, you may:

- Make a formal complaint in writing to the MPIO or relevant State Member Protection Information Officer; or
- Approach a relevant external agency such as an anti-discrimination commission, for advice and assistance.

On receiving a formal complaint and based on the material you have provided, the MPIO or relevant State Member Protection Information Officer will decide whether:

- They are the most appropriate person to receive and handle the complaint;
- The nature and seriousness of the complaint warrants a formal resolution procedure;
- To refer the complaint to mediation;
- To appoint a person to **investigate** (gather more information on) the complaint;
- To refer the complaint to a hearings tribunal;
- 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 dealing with your formal complaint, the MPIO or relevant State Member Protection Information Officer will take into account:

- Whether they have had any personal involvement in the circumstances and if so, whether it is appropriate 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 MPIO or relevant State Member Protection Information Officer is the appropriate person to handle the complaint they will, where appropriate and/or necessary:

- Put the information they've received from you to the person/people you're complaining about and ask them for a response;
- Decide if they have enough information to determine whether the matter alleged in your complaint did or did not occur; and/or
- Determine what, if any, further action to take. This action may include referring the matter to a Tribunal from which disciplinary action may result in accordance with this Policy.

In the event that the matter is to be dealt with by FFA and further investigation is required, FFA will appoint its general counsel, other senior manager or, if it considers it appropriate in the circumstances, an independent expert (**Investigator**) to investigate the complaint.

In the event that the matter is to be dealt with by the Member Federation and further investigation is required, the CEO of that Member Federation will appoint an appropriate person, whether a Member Federation employee or otherwise, (**Investigator**) to investigate the complaint.



### **Step 5: Investigation of the complaint**

In accordance with Attachment D2 of this Policy, on completion of his or her investigation, the Investigator appointed under Step 4 above must provide written report to the MPIO or relevant State Member Protection Information Officer for a determination by FFA or the relevant Member Federation as to what further action should be taken.

If the complaint is referred to:

- a) mediation, it will be conducted in accordance with Part D2 or as otherwise agreed by you and the respondent and the mediation provider;
- b) a hearings Tribunal, the hearing will be conducted in accordance with the Grievance Resolution Regulations; or
- c) the police or other appropriate authority, FFA 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, or to decide whether any breach of this Policy has occurred, or 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.

Any costs relating to the complaint process set out in this Policy (e.g. investigation and/or mediation and/or hearings tribunal) are to be met by the relevant Governing Body unless otherwise stated.

### **Step 6: Documenting the resolution**

The MPIO or relevant State Member Protection Information Officer 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 Member Federation 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 FFA level, the documents will be stored at the FFA office with a copy stored at the relevant Member Federation office.

## **EXTERNAL APPROACHES or COMPLAINTS**

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. 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 as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

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

## **Attachment D2: MEDIATION**

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Mediation is a process during which people in conflict are helped to communicate with each other to identify the areas of dispute and to make decisions about resolving it.

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 agreed outcome.

This attachment outlines the general procedure of mediation that will be followed by the relevant Governing Body.

1. If mediation is chosen, the MPIO or relevant State Member Protection Officer will, in consultation with the Complainant and the Respondent(s), arrange for a mediator.
2. The mediator's role is to assist the Complainant and Respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the Complainant and Respondent(s), will choose the procedures to be followed during the mediation. At a minimum, an agenda of issues for discussion will be prepared by the mediator.
3. The mediation will be conducted confidentially and without prejudice to the rights of the Complainant and the Respondent(s) to pursue an alternative process if the complaint is not resolved.
4. At the end of a successful mediation, where appropriate the mediator may seek to ensure that the parties execute a document that sets out the agreement reached, which will be signed by them as their agreement to the resolution.
5. If the complaint is not resolved by mediation, the Complainant may:
  - a) Write to the MPIO or relevant State Member Protection Officer to make a formal complaint in accordance with **Step 4**; or
  - b) Approach any relevant external agency such as an anti-discrimination commission, to resolve the matter.
6. Mediation will **not** be recommended if:
  - a) The persons involved have a completely different version of the events and will not deviate from these;
  - b) The Complainant or Respondent are unwilling to attempt mediation;
  - c) Due to the nature of the complaint, the relationship between the Complainant and the Respondent(s) or any other relevant factors, the complaint is not suitable for mediation; or
  - d) The matter involves proven serious allegations, regardless of the wishes of the Complainant.

## **Attachment D3: INVESTIGATION PROCESS**

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If an investigation needs to be conducted to gather more information, an unbiased person will undertake the investigation and the following steps will be followed:

1. The relevant Governing Body will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The Investigator will:
  - a) Interview the Complainant and record the interview in writing.
  - b) Convey full details of the complaint to the Respondent(s) so that they can respond.
  - c) Interview the Respondent to allow them to answer the complaint, and record the interview in writing.
  - d) Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
  - e) deliver a report to the relevant Governing Body as to whether in their view 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; and
    - if requested, recommend whether the matter should be referred to a Tribunal for determination as to whether there has been a breach of this Policy and any appropriate sanctions.
2. We will provide a report to the Complainant and the Respondent(s) documenting the complaint, the investigation process and summarising key points concerning the investigation.
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).

## **Attachment D4: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE**

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**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).

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. It is not the responsibility of anyone working in FFA in a paid or unpaid capacity to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns by reporting these to the appropriate authorities. The following outlines the key steps to follow. More information can be obtained from state or territory government agencies.

### **Step 1 – Initial Receipt of an Allegation**

If a child or young person discloses an allegation involving harm or abuse to them or another child, then it is crucial that you:

- Stay calm;
- Listen, be supportive and do not challenge or undermine what the child says;
- Reassure the child that what has occurred is not the fault of the child;
- Be honest with the child and explain that other people may need to be told in order to stop what is happening;
- Ensure you are clear about what the child has said but do not elicit detailed information, ask leading questions or offer an opinion;
- Act promptly to accurately record the discussion in writing;
- Do not discuss the details with any person other than those detailed in these procedures; and
- Do not contact the alleged offender.

### **Step 2 – Report allegations**

- Immediately report any allegation or disclosure of child abuse or situation involving a child at risk of harm, to the police and/or government child protection agency. You may need to report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the complaint should be reported (for example, the allegation may relate to poor/inappropriate practice).
- If the child's parent/s is suspected of committing the abuse, you should report the allegation to the relevant government agency.
- If the allegation involves anyone to whom our Policy applies, then also report the allegation to the MPIO or relevant State Member Protection Officer so that they can manage the situation (e.g. contact the parents following advice from the authorities, deal with any media enquiries and manage steps 3 and 4).

### **Step 3 – Protect the child and manage the situation**

- The MPIO or relevant State Member Protection Officer will assess the risks and take interim action to ensure the child's/children's safety. Action the relevant Governing Body may implement includes redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined, however it is not the MPIO's role to undertake such actions. The relevant Governing Body should seek legal advice if person an employee.
- The MPIO or relevant State Member Protection Officer will consider the kind of support that the children and parents may need (e.g. counselling, help lines, support groups).
- The MPIO or relevant State Member Protection Officer will address the support needs of the alleged offender.
- The MPIO or relevant State Member Protection Officer will seek to put in place measures to protect the child and the person against whom the complaint is made from victimisation and gossip. If the

person is stood down, it should be made clear to any persons aware of the incident that this does not mean the respondent is guilty and a proper investigation will be undertaken.

#### Step 4 – Internal action

- Where there is an allegation made against a person to whom this Policy applies, at least three types of investigations could be undertaken:
  - Criminal (conducted by police);
  - Child protection (conducted by child protection authority);
  - Disciplinary or misconduct (conducted by the relevant Governing Body).
- The relevant Governing Body will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should be reinstated, banned, suspended, have their employment or position terminated or any other action having regard for all the information, including the findings of the police, government agency and/or court.
- If disciplinary action is to be taken, the procedures outlined in section 8 of the Policy will be followed.
- If disciplinary action is taken, FFA will advise and provide a report to the relevant government authority should this be required (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).

#### 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 Support <a href="http://www.communityservices.act.gov.au/ocyfs">www.communityservices.act.gov.au/ocyfs</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 Family and Community Services <a href="http://www.community.nsw.gov.au/docs_menu/preventing_child_abuse_and_neglect.html">www.community.nsw.gov.au/docs_menu/preventing_child_abuse_and_neglect.html</a> Ph: 13 21 11
<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/Child_Protection/index.aspx">www.childrenandfamilies.nt.gov.au/Child_Protection/index.aspx</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, Child Safety and Disability Services <a href="http://www.communities.qld.gov.au/childsafety">www.communities.qld.gov.au/childsafety</a> Ph: 1800 177 135
<b>South Australia</b>	
South Australia Police Non-urgent police assistance Ph: 131 444	Department for Education and Child Development <a href="http://www.families.sa.gov.au">www.families.sa.gov.au</a> Ph: 131 478

<a href="http://www.sapolice.sa.gov.au">www.sapolice.sa.gov.au</a>	
<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/for-individuals/children,-families-and-young-people/child-protection">www.dhs.vic.gov.au/for-individuals/children,-families-and-young-people/child-protection</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 and Family Support <a href="http://www.dcp.wa.gov.au/ChildProtection">www.dcp.wa.gov.au/ChildProtection</a> Ph: (08) 9222 2555 or 1800 622 258

## **PART E: REPORTING REQUIREMENT AND DOCUMENTS**

The following information was updated in August 2015. It is subject to change at any time.

### **1. 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:

- During normal business hours - contact the Regional Intake Service.
- 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 dialing 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.

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.

### **2. 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.

### **3. 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.

If you believe a child is in immediate danger or in a life-threatening situation, contact the Western Australia Police immediately by dialing 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: visit <http://www.dcp.wa.gov.au/ChildProtection/> or call 1800 622 258.

#### **4. 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: visit <http://www.dhs.vic.gov.au/> or call 131 278 toll free (24 hours a day, 7 days a week).

For concerns that are life threatening, call Victoria Police on 000.

#### **5. SOUTH AUSTRALIA**

Staff 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: <http://www.families.sa.gov.au/pages/protectingchildren/HowToNotify/>

## 6. 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/)

## 7. 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: visit [http://www.dhcs.act.gov.au/ocyfs/services/care\\_and\\_protection](http://www.dhcs.act.gov.au/ocyfs/services/care_and_protection) or call 1300 556 729.

## 8. 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 receive 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) or call 1300 556 729



**Attachment E2: 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"/> 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 .....	
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"/> 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		
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"/> Victimisation <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 and secure 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: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION**

Before completing, ensure the procedures outlined in attachment D4 have been followed and advice has been sought from the relevant child protection agency and/or police.

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"/> 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 .....
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:	
Child protection agency contacted	Who: When: Advice provided:	

CEO contacted	Who: When:
Police and/or child protection agency investigation (if any)	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 and secure place** and provided to the relevant authorities (police and government) should they require them.

## **PART F: ROLE SPECIFIC CODES OF CONDUCT**

### **A. FOOTBALL CODE OF CONDUCT**

The National Code of Conduct applies to all Members and governs:

- a) bringing FFA or football into Disrepute, including through discriminatory behaviour, offensive behaviour and incitement of hatred or violence;
- b) liability for spectator and supporter conduct;
- c) betting, match-fixing and corruption; and
- d) disparaging public or media statements.

### **B. SPECTATOR CODE OF BEHAVIOUR**

A spectator at a Match or otherwise involved in any activity sanctioned or staged by, or held under the auspices of FFA, a Member Federation, a District Association or a Club must:

- a) respect the decisions of Match Officials and teach children to do the same;
- b) never ridicule or unduly scold a child for making a mistake;
- c) respect the rights, dignity and worth of every person regardless of their gender, ability, race, colour, religion, language, politics, national or ethnic origin;
- d) not use violence in any form, whether it is against other spectators, Team Officials (including coaches), Match Officials or Players;
- e) not engage in discrimination, harassment or abuse in any form, including the use of obscene or offensive language or gestures, the incitement of hatred or violence or partaking in indecent or racist chanting;
- f) comply with any terms of entry of a venue, including bag inspections, prohibited and restricted items such as flares, missiles, dangerous articles and items that have the potential to cause injury or public nuisance;
- g) not, and must not attempt to, bring into a venue national or political flags or emblems (except for the recognised national flags of any of the competing teams) or offensive or inappropriate banners, whether written in English or a foreign language;
- h) not throw missiles (including on to the field of play or at other spectators) and must not enter the field of play or its surrounds without lawful authority; and
- i) conduct themselves in a manner that enhances, rather than injures, the reputation and goodwill of FFA and football generally.

Any person who does not comply with the Spectator Code of Behaviour or who otherwise causes a disturbance may be evicted from a venue and banned from attending future Matches.