



Adelaide Footy League

Member Protection Policy

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Member Protection Policy

Description

The Adelaide Footy League (The League) is committed to providing an environment safe for children that is free from harassment, discrimination and abuse for everyone, and promotes respectful and positive behaviour and values.

Purpose

This policy provides a code of behaviour forming the basis of appropriate and ethical conduct which everyone must abide by. The League is committed to ensuring that everyone associated with The League complies with the policy.

Scope

The following guidelines are to be adhered to on an organisation-wide level.

Part A: Member Protection Policy

1. Purpose of this Policy

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

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

This policy has been endorsed by The League and has been incorporated into the Constitution. Copies of the current policy can be obtained from The League's website at www.adelaidefooty.com.au.

2. Who this Policy applies to

This policy applies to the following people, whether they are acting in a paid or unpaid/voluntary capacity, in The League and Clubs associated with The League:

- Persons appointed or elected to boards, committees and sub-committees.
- Employees of The League.
- Members of The League.
- Support personnel appointed or elected to Representative teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers).
- Representative team coaches and assistant coaches.
- Representative players.
- All umpires and other officials involved in the regulation of the sport.
- Members, including life members of The League.
- Players, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by The League.

All Clubs associated with The League are required to adopt and implement this policy and to provide proof to The League of the approval of the policy by the relevant board in accordance

with its constitution.

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

3. Responsibilities of the Organisation

The League, and all associated clubs must:

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

4. Individual Responsibilities

Individuals bound by this policy are responsible for:

- Complying with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible risk of harm to children and young people set out in this policy;
- Consenting to the child safety screening requirements set out in this policy, and any state/territory Working with Children Checks as required by law;
- Placing the safety and welfare of children and young people above other considerations;
- Being accountable for their behaviour; and
- Complying with any decisions and/or disciplinary measures imposed under this policy.

5. Position Statements

5.1 Child Safe Environments

The League is committed to the safety and wellbeing of all children and young people participating in, officiating or associated in any way with football in South Australia. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

The League acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. Our aim is to continue this and to take measures to protect the safety and welfare of children participating in our sport through the following mechanisms:

Further information can be found at [Safeguarding Children & Young People | Play AFL](#).

5.1.1 Identify and Analyse Risk of Harm

The League will implement a risk management strategy, which includes a review of existing

child safe environment practices, to determine how child-safe and child-friendly our sport and all associated environments are 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 Develop Codes of Conduct for Adults and Children

The League will ensure that all associated clubs have established codes of conduct that specify standards of behaviour and care when dealing and interacting with children. The League will also implement a code of conduct to address appropriate behaviour between children.

The code(s) of conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour. (See Part B)

5.1.3 Choose Suitable Employees and Volunteers

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

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

The League will ensure that Working with Children Checks are conducted for all employees and volunteers who work with children, where an assessment is required by law.¹

If a criminal history report and other personal and sensitive information is obtained as part of their screening process, we will handle this information confidentially and in accordance with the relevant legal requirements.

5.1.4 Support, Train, Supervise and Enhance Performance

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

5.1.5 Empower & Promote the Participation of Children in Decision-Making and Service Development

The League 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 Harm

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

The League will make all volunteers and employees aware of their responsibilities under State Laws to make a report if they have suspect on reasonable grounds that a child has been or is at risk of harm.

We require that any child who is harmed or at risk of harm or anyone who reasonably suspects that a child has been or is at risk of harm by someone, report it immediately to the police or relevant government agency and the CEO of The League. If a matter relates to the immediate risk of harm to children or young people, the matter should be referred to the police or relevant state government authority (Child Abuse Report Line on 131 478).

¹ [Children and Young People \(Safety\) Act 2017](#)

If any person believes that another person or organisation bound by this Policy is acting inappropriately towards a child, or is in breach of this Policy, they may make an internal complaint. (Refer Attachment Part D).

The League and Affiliates will seek to ensure that all allegations of child abuse are dealt with promptly, seriously, sensitively and confidentially. A person should not be victimised for reporting an allegation of child abuse and The League will seek to ensure that the privacy of all persons concerned will be respected. Further information regarding managing a concern that a child or young person is at risk of harm, or reporting procedures including mandated notifiers, please see attachments D4 and D5.

5.2 Taking Images of Children

There is a risk that images of children may be used inappropriately or illegally. The League requires that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own. They should also make sure the parent/guardian understands how the image will be used.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are used in connection with our sport.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent/guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to 'groom' a child.

We will only use images of children that are relevant to our sport and we will ensure that they are suitably clothed in a manner that promotes participation in the sport. We will seek permission from the parents/guardians of the children before using the images. We require our member associations and clubs to do likewise.

5.3 Anti-Discrimination, Harassment and Bullying

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

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 or federal anti-discrimination laws.

The personal characteristics protected by anti-discrimination laws include attributes such as race, age, disability, gender and race. The full list of protected personal characteristics is in the 'definitions' set out in the dictionary terms. Discrimination can be either direct or indirect.

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

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

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 or Federal anti-discrimination legislation.

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

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

5.3.3. Bullying

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

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

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

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

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

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

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint.

5.3.4. Prohibition against discrimination, harassment and bullying

The League prohibits all forms of harassment and discrimination based on the personal characteristics listed in the 'definitions' set out in the dictionary terms section.

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 League. A person may make an internal complaint, and in some circumstances, they may also be able to make a complaint to an external organisation.

5.3.5. Vilification & Discrimination

The Australian Football League (AFL) has developed a national policy that governs the process to resolve and / or determine incidents of alleged vilification or discrimination.

The National Vilification & Discrimination Policy states no League Participant or Club Official shall engage in conduct which may reasonably be considered to incite hatred towards, contempt for, ridicule of or discrimination against a person or group of persons on the ground of their:

- race;
- religion;
- descent or national or ethnic origin;
- colour;
- sexual preference, orientation, or gender identity; or
- special ability or disability.

For more information visit: [National Community Football Policy Handbook](#)

5.4 Intimate relationships

The League takes the view that intimate relationships (including, but not limited to sexual relationships) between coaches or officials and adult athletes may take place legally. Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. 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. Such relationships can have harmful effects on the athletes involved, on other athletes and coaches and on the sport's public image. These relationships may be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach or official and the athlete.

Given there is always a risk that the relative power of the coach has been a factor in the development of such relationships, they should be avoided by coaches at all levels. If an athlete attempts to initiate an intimate relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such actions.

The coach or athlete may wish to approach The League's MPIO if they feel harassed. Our complaints procedure is outlined in Attachment D1 of this policy.

5.5 Pregnancy

Everyone bound by this policy must treat pregnant women with dignity and respect and any unreasonable barriers to participation by them in our sport should be removed. We 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 our sport.

The League recommends 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. We will only require pregnant

women to sign a disclaimer if we require other participants to sign one in similar circumstances. We 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 also refer to The League's [Pregnancy Policy](#).

5.6 Inclusive Practices

5.6.1 Disability

Disability discrimination is treating people unfairly because of their disability. A disability includes a physical or mental illness, a learning or intellectual disability, a genetic predisposition to develop a particular illness and that state of having or carrying an infection, whether or not it is symptomatic. It also includes a disability that a person had in the past or may develop in the future.

5.6.2 People from Diverse Cultures

The League supports and respects people from diverse cultures and religions to participate in its activities and where possible will accommodate requests for flexibility (e.g. modifications to uniforms).

5.7 Gender Identity

Gender identity is defined in the Sex Discrimination Act 1984 (Commonwealth) as the gender related identity, appearance or mannerisms or other gender related characteristics of a person (whether by way of medical intervention or not), with or without regard to the person's designated sex at birth.

For example, a person's birth certificate may include a marker which indicates that the person's designated sex is female when that person identifies as a man. In other words, their gender identity is that of a man.

A person's gender identity can be male, female, neither, a combination, and can also change over time.

5.7.1 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 League is 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. We will not tolerate any unlawful harassment or discrimination of a person because of their gender identity.

This includes discrimination or harassment of a person who is transgender or gender diverse, who is assumed to be transgender or gender diverse or has an association with someone who has or is assumed to be transgender or gender diverse.

Gender affirmation (or transition) refers to the social, medical or legal steps that a transgender person takes to affirm their gender identity.

Gender affirmation may or may not involve medical treatment, including surgeries or hormone therapy. People can affirm their gender as children, adolescents or as adults and each person's gender affirmation is different.

- **Social affirmation** is the process by which a person changes their gender expression to better match their gender identity. This may include changing their name, pronouns, and appearance.
- **Medical affirmation** is the process by which a person changes their physical sex characteristics to align with their gender identity. This may include hormone therapy, surgery or both.
- **Legal affirmation** is the process by which a person changes their identity documents, name, or both, to reflect their gender identity. This may include changing their gender marker on a passport or birth certificate or changing their name on a driver's licence or bank card.

We expect all people bound by this policy to act with sensitivity when a person is undertaking gender affirmation/transition and respect that person's right to privacy and confidentiality.

If any person believes that they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy because of their gender identity, they may make a complaint. (Refer to the attachments in Part D of this policy)

5.7.2 Participation in sport

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

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

5.7.3 Intersex status

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

Intersex status refers to people who have genetic, hormonal or physical characteristics that are not exclusively 'male' or 'female'. A person who is intersex may have features that are neither wholly female nor male, a combination of female and male, or neither female nor male. The term intersex does not describe a person's gender identity. They may identify as a man, woman, neither or both.

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

5.8 Responsible Service and Consumption of Alcohol

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

In general, our policy is that:

- Alcohol should not be available or consumed at sporting events involving children and young people under the age of 18;
- Alcohol-free social events should be provided for young people and families;
- Food and low-alcohol and non-alcoholic drinks will be available at events we hold or endorse where alcohol is served;

- A staff member will be present at events we hold or endorse where alcohol is served to ensure appropriate practices are followed;
- Safe transport options will be promoted as part of any event we hold or endorse where alcohol is served.

5.9 Smoke-Free Environment

The League recommends that the following policies be applied to all sporting and social events that we hold or endorse.

- No smoking shall occur at or near sporting events involving children and young people under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers.
- Social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas.
- Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke-free while they are involved in an official capacity in our sport, both on and off the field.

5.10 Social networking websites

The League acknowledges the enormous value of social networking websites, such as Facebook and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport.

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

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

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

6 Complaints Procedures

6.1 Handling Complaints

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

In all cases, the lowest level at which a matter can be dealt with shall always be preferred (e.g. if the club can deal with the complaint, then it should; if not, then if the State body can deal with the complaint, then it should). Only in the most serious cases should the matter be referred to the national body unless the matter has arisen at or relates to the national level.

Therefore, if a complaint relates to:

- Behaviour or an incident that occurred at the state level or involves people operating at the state level, then the complaint should be reported to and handled by the relevant state association in the first instance; or

- Behaviour or an incident that occurred at the 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.

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

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in attachment D1.

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

6.2 Vexatious Complaints & Victimisation

The League 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 for appropriate action which may include disciplinary action against the complainant.

The League 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.

6.3 Mediation

The League aims 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 will, in consultation with the complainant, arrange for a neutral third-party mediator where possible.

6.4 Tribunals

A Tribunal may be convened to hear a formal complaint:

- referred to it by the MPIO;
- because of the serious nature of the complaint, or unable to be resolved at the local level, or the state policy directs it to be; and/or
- for an alleged breach of this policy.

If the standard Tribunal Process is not able to hear a complaint of this nature, a special Complaints Tribunal may be convened.

A respondent may lodge an appeal only to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved.

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:

- breaching the Codes of Behaviour (attachment B to this policy);
- bringing the sport and/or The League into disrepute, or acting in a manner likely to bring the sport and/or The League into disrepute;
- failing to follow The League policies (including this policy) and procedures for the protection, safety and welfare of children;
- discriminating against, harassing or bullying (including cyber bullying) any person and in particular, a child;
- victimising another person for reporting a complaint or discharging their obligation as a mandated notifier;
- engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- disclosing to any unauthorised person or organisation any League information that is of a private, confidential or privileged nature;
- making a complaint they knew to be untrue, vexatious, malicious or improper;
- failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- 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:

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

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 direction that the individual makes a verbal and/or written apology;
- A written warning;
- A direction that the individual attend counselling to address their behaviour;
- A withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by The League;
- A demotion or transfer of the individual to another location, role or activity;
- A suspension of the individual's membership or participation or engagement in a role or activity;
- Termination of the individual's membership, appointment or engagement;
- A recommendation that The League terminate the individual's membership, appointment or engagement;
- 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;
- A fine;
- Any other form of discipline that the Tribunal considers appropriate.

8.2 Organisation

If a finding is made that any club associated to The League has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by the Tribunal:

- A written warning;
- A fine;
- A direction that any rights, privileges and benefits provided to that organisation by the state body or other peak association be suspended for a specified period;
- A direction that any funding granted or given to it by The League or state body cease from a specified date;
- A direction that The League cease to sanction events held by or under the auspices of that organisation;
- A recommendation to the club that its membership of The League be suspended or terminated in accordance with the relevant constitution or rules; and/or
- Any other form of discipline that the national body or peak organisation considers 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:

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

Dictionary of Terms

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

Abuse is the violation of an individual's human or civil rights through the act 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 or civil abuse and systemic abuse.

Adelaide Footy League means The League.

Affiliated club means any club which has teams competing in any Affiliated League.

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

Conduct which puts children at risk of harm may include:

- **Physical abuse** by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity).
- **Sexual abuse** 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).
- **Emotional abuse** by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child). This tends to be a chronic behavioural pattern directed at a child so that a child's self-esteem and social competence are undermined or eroded over time.
- **Neglect** 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 clause 6.1.

Complainant means a person making a complaint.

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

Criminal History Report (also known as Police Check) means a national criminal history record check conducted as a pre-employment, pre-engagement or current employment or current engagement background check on a person.

Discrimination means treating or proposing to treat someone less favourably because of a particular characteristic in the same or similar circumstances in certain areas of public life (Direct Discrimination), or imposing or intending to impose 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 (Indirect Discrimination). The characteristics covered by discrimination law across Australia are:

- Age;
- Disability;

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

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

Examples of Discrimination

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

Further examples of discrimination are available on the Play by the Rules website:

[Inclusion and Diversity in sport - what is it - Play by the Rules - Making Sport inclusive, safe and fair.](#)

Harassment is any type of unwelcome behaviour which has the effect of offending, humiliating or intimidating the person harassed. 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 the list under discrimination). Is sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some other characteristic (see characteristic list under discrimination). Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability - see vilification.

Mediator means an impartial/neutral person appointed to mediate Complaints.

Member means any; player, coach, assistant coach, team official, umpire, match official or individual in a prescribed position in any Affiliated League or club.

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.

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

- People are entitled to be informed of allegations made against them.
- All persons affected by a decision should be given the relevant information to enable an informed submission to be made to the decision-maker or person subsequently reviewing a decision.
- During the review of a decision, all persons affected by a decision should have an opportunity to put their case, relevant arguments should be heard, and relevant information should be accessible to all parties.
- Decision makers act fairly and impartially.

This policy means this Member Protection Policy.

Respondent means the person who is being complained about.

Risk Assessment in the context of child protection 'refer to a process of evaluating the information received to reach a decision about the risk of harm a person may pose to children.' (Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children)

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

Sexual harassment means unwanted, unwelcome or uninvited 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 unwanted 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 under the Criminal Law Consolidation Act 1935 (SA) including but not limited to (note age consent in SA and Tasmania is 17 years and all other dates it is 16 years):

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

Transgender is 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 transition 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.

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.

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.

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.

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

Vilification means behaviour that occurs in public which incites hatred towards, serious contempt for, or revulsion or severe ridicule of a person or group of people because that person or persons have a particular personal characteristic. Anti-discrimination laws in Australia make it unlawful to vilify a person or group of persons on the basis of race, religion, homosexuality, transgender status and HIV/AIDS status.

Part B – Codes of Behaviour

Administrators/Member Club Officials

- Make sure coaches and officials are trained and acknowledged for their efforts.
- Set the example by ensuring all The League's Rules, Regulations and procedures are in place.
- Administer discipline in a just, fair and supportive manner.
- Be responsible for the conduct of your players, spectators and officials.
- Respect the rights and dignity of every person.
- Be aware of your legal responsibilities.

Coaches

- Always treat all players with respect.
- Refrain from any form of personal harassment or abuse.
- Do not ridicule players and provide feedback in a positive manner.
- Respect gender, ability, culture, background and religion.
- Abide by umpire's decisions.
- Control your temper and don't use abusive language.
- Promote a climate of mutual support among your players and encourage them to respect one another.

Players

- Respect the rights and dignity of fellow players, coaches, umpires, officials and spectators.
- Abide by the rules and respect the decision of umpires.
- Conduct yourself in a responsible manner relating to language, temper and attitude.
- Refrain from any conduct which could be construed as harassment and bullying.
- Respect gender, ability, culture, background and religion.
- Control your temper and don't use abusive language.

Umpires

- Treat all participants with respect at all times.
- Umpires shall be impartial and maintain integrity in their relationship with other umpires, players and spectators.
- Compliment and encourage all players and refrain from any personal abuse or harassment towards players.
- Condemn unsporting behaviour and promote respect.
- Be consistent, objective and respectful when making your decisions.
- Place the safety and welfare of the players above all else.

Spectators

- Encourage players to play according to the rules and official decisions.
- Do not ridicule umpires, players or other spectators.
- Respect and abide by decisions of umpires and officials.
- Respect rights and dignity of others.
- Do not use abusive language and refrain from any conduct that could be construed as harassment or bullying.
- Do not take any alcohol, bottles or glass onto the oval.

Part C – Working with Children Check Requirements

SCREENING AND WORKING WITH CHILDREN REQUIREMENTS

This attachment explains the screening process for people who currently occupy or who apply for any work (paid or voluntary) in The League that involves direct and unsupervised contact with people under the age of 18 years. The League will seek to follow the below process where possible and relevant.

Screening under this policy is not a replacement for any other procedure required by law. All appointments must comply with the relevant Working with Children (WWC) legislation.

1. We will identify those positions where people work, coach or have regular contact with children and young people under the age of 18.
2. If a person is unable or chooses not to successfully obtain a Working with Children Clearance, or they are deemed unsuitable, we will not appoint them to the position.
3. Where possible, we will check a person's referees (verbal or written) about his or her suitability for the position.
4. We will protect the privacy of each person who undertakes the screening process and keep all information we obtain strictly confidential.
5. The records of all people appointed to our organisation will be kept on file in a secure location.

For further information visit [SA.GOV.AU Screening Checks](http://SA.GOV.AU/ScreeningChecks).

Part D – Complaint Handling Procedures

D.1 Complaints Procedure

Overview

This procedure has been developed to ensure that complaints about inappropriate behaviour described in this policy are addressed sensitively, consistently, fairly and confidentially.

A complaint may be reported about an individual or group behaviour informally or formally. It may be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy.

Complaints should be reported to The League.

Internal Procedure

Self-Resolution

Self-resolution may be appropriate where the alleged harasser or bully is oblivious to the impact of their behaviour towards the complainant. If the complainant feels it is appropriate, they can attempt to resolve the issue directly with the alleged harasser, without the assistance of The League, by speaking directly to the person/s involved and asking them to stop the offensive behaviour immediately.

Resolve the Complaint Informally

Informal assistance may be appropriate where the complainant is not sure how to handle the problem and wants to talk confidentially about the problem or the problem continues after the complainant has tried to approach the person/s involved. If this is the case, individual/s should talk with an appointed person of The League.

Informal procedures that may be actioned by the appointed person of The League could include the following:

- provide possible options/methods for the complainant to resolve the problem and/or make a referral to an appropriate person to help the complainant resolve the problem eg: a mediator.
- explain how The League complaints procedure works;
- act as a support person;
- privately speak with the alleged offender on behalf of the complainant
- inform the relevant government authorities and/or police if required by law to do so.

Resolve the Complaint Formally

Formal procedures may be appropriate where informal procedures have been ineffective, the complaint involves serious and/or criminal allegations or the complainant wishes to make a formal complaint from the outset. Formal complaints can be lodged with The League. Both parties involved in a formal complaint have a number of rights and responsibilities which are detailed below:

Complainant's Rights	Respondent's Rights
Have the complaint investigated and if necessary conciliated. Have support/representation if requested. Express views and opinions without intimidation from others. Discontinue a complaint. Have the situations remedied. Privacy.	Have natural justice. Not be discriminated against. Not be dismissed unfairly, harshly or unreasonably. Privacy. Have support/representation if requested. Not be defamed. Not be the subject of unfounded or malicious complaints.

A formal procedure will be followed as appropriate for each individual complaint which may include one or more of the following steps:

- document full information from the complainant about the complaint and how they want it resolved;
- put the information received from the complainant to the person/people that the complaint is about and ask them to provide their side of the story;
- decide whether enough information has been obtained to determine whether the matter alleged in the complaint did or didn't happen; and/or
- determine what, if any, further action to take. This action may include appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session and/or referring the complaint to the police or other appropriate authority.

NB: Where a complaint relates to an allegation of child abuse the matter will immediately be referred to the police or relevant state government authority.

Appeal Process

If the internal complaints processes set out in this Policy do not achieve a satisfactory resolution/outcome, or if the complainant believes it would be impossible to get an impartial resolution within The League, the complaint may be referred to the SANFL Game Development Department or Community Football League for further consultation. If necessary, an external agency such as The Equal Opportunity Commission may be contacted to assist with a resolution.

External Procedure

There may be a range of external options available depending on the nature of the complaint. In the case of harassment or discrimination advice can be sought from the State or Territory Equal Opportunity Commission without being obliged to make a formal complaint.

In the case of more serious breaches such as child abuse, assault or sexual assault, should be reported to the police or relevant state government department responsible for issues of child welfare should be notified.

Attachment D4

PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

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

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au and [Safeguarding-Children-Reporting-Procedure.pdf \(afl.com.au\)](http://Safeguarding-Children-Reporting-Procedure.pdf(afl.com.au)).

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

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

Step 1: Receive the allegation

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

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

Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the CEO of The League so that he or she can manage the situation.
- Some people to whom this policy applies may be required by law to report. For further information about Mandated reporting see Attachment D5 or please refer to [Mandated notifiers and their role | Department for Child Protection](#).

Step 3: Protect the child and manage the situation

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

Step 4: Take internal action

- At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police);
 - a child protection investigation (conducted by the relevant child protection agency);
 - a disciplinary or misconduct inquiry/investigation (conducted by The League).
- The League 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 return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in the Member Protection Policy.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take.

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

South Australia	
South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au	Department for Human Services DHS - Contact us Ph: 131 478

Attachment D5

REPORTING RISK OF HARM

Under the *Children and Young People (Safety) Act 2017* mandated notifiers are required by law to notify the Department for Child Protection **Child Abuse Report Line 13 1478**, if they suspect on reasonable grounds that a child/young person is, or may be, at risk and the suspicion is formed in the course of the person's work (whether paid or voluntary) or in carrying out official duties.

Mandated notifiers are any person who is an employee of, or volunteer in, a government or non-government organisation that provides health, welfare, education, sporting or recreational, childcare or residential services wholly or partly for children.

These people:

- a. Provides such services directly to children and young people; or
- b. hold a management position in the relevant organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children and young people.

It is an offence to prevent a person from discharging the obligation of mandatory reporting through threat, intimidation or unfavourable treatment.

NB: There is no legal requirement for a mandatory reporter to be trained. Rather, everyone in the above roles have a responsibility to report.

The League supports that all people engaged in activities associated with The League have a moral obligation to report any suspicion of child/young person being at risk of harm.

Further information can be found at:

<https://www.childprotection.sa.gov.au/reporting-child-abuse>

[Child Safeguarding | Office for Recreation, Sport and Racing \(orsr.sa.gov.au\)](#)

[DHS - Child safe environments](#)

Finding		
If went to Tribunal:		
Decision		
Action Recommended		
If mediated:		
Date of mediation		
Were both parties present?		
Terms of agreement		
Any other action taken?		
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:	
	Date:	/ /
Signed by	Complainant:	
	Respondent:	

This record and any notes must be kept in a confidential and secure. 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 D8

CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Complainant's Name		Date Formal Complaint Received: / /	
Role/Status in sport			
Child's Name		Age	
Child's Address			
Person's Reason for suspecting abuse (eg observation, injury, disclosure)			
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"/> Official	
	<input type="checkbox"/> Other		
Witnesses (if more than 3 witnesses, attach details to this form)	Name		
	Contact Details:		
	Name:		
	Contact Details:		
	Name:		
	Contact Details:		
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)			
Police Contacted	Who:		
	When:		
	Advice Provided:		

Government Agency Contacted	Who:		
	When:		
	Advice Provided:		
CEO Contacted	Who:		
	When:		
Police and/or government agency investigation			
Finding:			

Internal <i>investigation</i> (if any)		
Finding:		
Action Taken		
Completed by	Name:	
	Position:	
	Signature:	
	Date:	/ /
Signed by (if not a child)	Complainant:	

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.

Attachment D9

USE OF IMAGE TEMPLATE

IMAGE WAIVER AGREEMENT

For applicants under 18 years

As the parent/guardian of _____, I give permission for the Adelaide Footy League to use photographs, videos or audio of him/her taken at the _____ (Event Name) on ____/____/____ (Event Date) in official ADELAIDE FOOTY LEAGUE print and online publications.

The use of the photographs/video/audio will be for the promotion and marketing of the Adelaide Footy League -affiliated program in which he/she is involved.

The Adelaide Footy League may publish, republish or otherwise transmit the images in any medium for the purposes stated above.

I give permission for my child's full name (first name and surname) to be used in conjunction with the image should the occasion arise.

I further release the Adelaide Footy League from any claims or remuneration associated with any form of damage, foreseen or unforeseen, associated with the use of the image.

I agree that the law of the State of South Australia will apply to this Agreement.

I acknowledge that _____ is a minor and certify that I have given my consent freely and this Agreement was willingly signed.

DATE:	:
SIGNED BY PARENT/GUARDIAN:	: