



Pascoe Vale Football Club Member Protection Policy



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1. Introduction

2. Purpose of our policy

The main objective of the Pascoe Vale Football Club (“PVFC”, “our”, “us”, “we”) Member Protection Policy (“policy”) is to maintain responsible behaviour and the making of informed decisions by members and other participants in this club. It outlines our commitment to a person’s right to be treated with respect and dignity, and to be safe and protected from discrimination, harassment, and abuse. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are expected of them. It also covers the care and protection of children participating in our club’s activities.

3. Who our policy applies to

This policy applies to everyone involved in the activities of our club whether they are in a paid or unpaid/voluntary capacity and including:

1. Club committee members, administrators, and other club officials.
2. Coaches and assistant coaches and other personnel participating in events and activities, including camps and training sessions.
3. Support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers, and others.
4. Referees, umpires, and other officials.
5. Athletes.
6. Members, including any life members.
7. Parents.
8. Spectators.

4. Extent of our policy

Our policy covers all matters directly and indirectly related to the PVFC and its activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of behaviour and behaviour that occurs at training sessions, in the club rooms, at social events organised or sanctioned by the club (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings our club or sport into disrepute or there is suspicion of harm towards a child or young person.

5. Club responsibilities

We will:

- a) Adopt, implement, and comply with this policy.
- b) Ensure that this policy is enforceable.

- c) Publish, distribute, and promote this policy and the consequences of any breaches of this policy.
- d) Always promote and model appropriate standards of behaviour.
- e) 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 all people and organisations to whom this policy applies.
- i) Review this policy every 12 to 18 months.
- j) Seek advice from, and refer serious issues, to our *[district/region/state, or national body]*.

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (eg. Physical assault, sexual assault, child abuse) and any other issues that our state or national bodies request to be referred to them.

6. Individual responsibilities

Everyone associated with our club must:

- a) Make themselves aware of the contents of this policy.
- b) Comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy.
- c) Consent to the screening requirements set out in this policy, and any state or 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) Treat other people with respect.
- e) Always place the safety and welfare of children above other considerations.
- f) Be responsible and accountable for their behaviour.
- g) Follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment, bullying, or other inappropriate behaviour, and comply with any decisions and/or disciplinary measures imposed under this policy.

7. Protection of children

7.1. Child protection

The PVFC is committed to the safety and wellbeing of children and young people who participate in our club's activities or use our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

PVFC acknowledges the valuable contribution made by our staff, members, and volunteers and we encourage their active participation in providing a safe, fair, and inclusive environment for all participants.

7.1.1. Identifying and analysing risks of harm

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

7.1.2. Developing codes of conduct for adults and children

We will develop and promote a code of conduct that specifies standards of conduct and care we expect of adults when they deal and interact with children, particularly those in our care. We will also implement a code of conduct to promote appropriate behaviour between children.

The codes will clearly describe professional boundaries, ethical behaviour, and unacceptable behaviour. (See attachment 2).

7.1.3. Choosing suitable employees and volunteers

The PVFC will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children, 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 PVFC will ensure that Working With Children checks and 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 the screening process, the PVFC will ensure that the criminal history information is dealt with confidentially and in accordance with the relevant legal requirements. (See attachment 1.3).

7.1.4. Support, train, supervise, and enhance performance

The PVFC will ensure that all our employees and volunteers who work with children have ongoing supervision, support, and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in our club.

7.1.5. Empower and promote the participation of children in decision-making and service development

The PVFC will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our club.

7.1.6. Report and respond appropriately to suspected abuse and neglect

The PVFC will ensure that employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable ground that a child has been, or is being, abused or neglected (See attachment 4).

In addition to any legal obligations, 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 make an internal complaint.

Please refer to our complaints procedure in Section 10 of this policy.

Any person who believes a child is in immediate danger or in a life-threatening situation, should contact the police immediately.

7.2. Supervision

Children under the age of 18 must be supervised at all times by a responsible adult. We endeavour to provide an appropriate level of supervision at all times. If a member finds a child under the age of 18 is unsupervised, they should assume responsibility for the child's safety until the child's parent/guardian, or supervisor is located.

For reasons of courtesy and safety, parents must collect their children on time. If it appears a member will be left alone with just one child at the end of any club activity, they will ask another member to stay until the child is collected.

7.3. Taking images of children

Images of children can be used inappropriately or illegally. We require that members, wherever possible, obtain permission from a child's parent or guardian before taking an image of a child that is not their own. We will also make sure that the parent or 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 club.

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 or 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 club's activities, and we will ensure that they are suitably clothed in a manner that promotes our club. We will seek permission from a child's parent or guardian before using their images.

8. Discrimination, Harassment, and Bullying

Our club 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.

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

8.1. Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis on one or more of the personal characteristics protected by State or Federal anti-discrimination laws.

Discrimination includes both direct and indirect discrimination:

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

8.2. 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 involves 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.

Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of all the personal characteristics that apply throughout Australia:

- » Gender.
- » Race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration, national extraction, or social origin.
- » Marital status, relationship status, identity of spouse or domestic partner.
- » Pregnancy, potential pregnancy, breastfeeding.
- » Family or carer responsibilities, status as a parent or carer.
- » Age.
- » Religion, religious beliefs, or activities.
- » Political beliefs, or activities.
- » Lawful sexual activity.
- » Sexual orientation and gender identity.
- » Profession, trade, occupation, or calling.
- » Irrelevant criminal record, spent convictions,
- » Irrelevant medical record.
- » Member of association or organisation of employees or employers, industrial activity, trade union activity.
- » Physical features.
- » Disability, mental or physical impairment.
- » Defence service.
- » Personal association with someone who has, or is assumed to have, any of these personal characteristics.

Legislation also prohibits:

- » Racial, religious, homosexual, transgender, and HIV/AIDS vilification, and victimisation resulting from a complaint.

8.3. Bullying

The PVFC 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 at our club.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or a 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 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.
- » Psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. We will not tolerate abusive, discriminatory, intimidating, or offensive statements being made online.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint (Refer to Item 10 of this policy).

9. Inclusive practices

Our club is welcoming, and we will seek to include members from all areas of our community.

The following are examples of some of our inclusive practices:

9.1. People with a disability

The PVFC will not discriminate against any person because they have a disability. Where it is necessary, we will make reasonable adjustments (eg. modifications to equipment and rules) to enable participation.

9.2. People from diverse cultures

We will support, respect, and encourage people from diverse cultures and religions to participate in our club and where possible we will accommodate requests for flexibility (eg. modifications to uniforms).

9.3. Sexual and gender identity

All people, regardless of their sexuality or gender identity, are welcome at our club. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.

9.4. Pregnancy

PVFC is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our club's activities. We will not tolerate any discrimination or harassment against pregnant women.

We will take reasonable care to ensure the continuing safety, health, and wellbeing of pregnant women.

We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with the medical advisers and in discussion with PVFC. We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required 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 bound by this policy, she may make a complaint (see Section 10).

9.5. Girls playing in boys' teams

If there is not a separate sex competition, the Club will support girls playing in boys' teams up until the age of 12 years.

We note that Federal anti-discrimination laws provide that it is not unlawful to discriminate on grounds of sex by excluding persons from participation in any competitive sporting activity in which the strength, stamina, or physique of competitors is relevant.

If a child is over the age of 12 years our club will consider each request on an individual basis by considering the nature of our sport and other available opportunities to compete.

10. Responding to complaints

10.1. Complaints

Our club takes all complaints about on and off-field behaviour seriously. Our club will handle complaints based on the principles of procedural fairness, and ensure:

- a) All complaints will be taken seriously.
- b) The person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations.
- c) Irrelevant matters will not be taken into account.
- d) Decisions will be unbiased.
- e) Any penalties imposed will be reasonable.

More serious complaints may be escalated to our *[district/region/state or national body]*.

If the complaint relates to suspected child abuse, sexual assault, or other criminal activity, then our club may need to report the behaviour to the police and/or relevant government authority.

10.2. Complaint handling process

When a complaint is received by our club, the person receiving the complaint (eg. President, Member Protection Information Officer) will:

1. Listen carefully and ask questions to understand the nature and extent of the concern.
2. Ask the complainant how they would like their concern to be resolved and if they need any support.

3. Explain the different options available to help resolve the complainant's concern.
4. Inform relevant government authorities and/or police, if required by law to do so.
5. Where possible and appropriate, maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the club will assist, where appropriate and necessary, with the resolution process.

This may involve:

6. Supporting the person complaining to talk to the person being complained about.
7. Bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation).
8. Gathering more information (eg. from other people that may have seen the behaviour).
9. Seeking advice from our district, regional, state and/or national body or from an external agency (eg. State Department of Sport or anti-discrimination agency).
10. Referring the complaint to our *[district, regional, state, or national]* association.
11. Referring the complainant to an external agency such as a community mediation centre, police, or anti-discrimination agency.

In situations where a complaint is referred to our *[district, regional, state, or national]* association and an investigation is conducted, the club will:

12. Cooperate fully with the investigation.
13. Where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s)
14. Act on our *[district, regional, state, or national]* association's recommendations.

At any stage of the process, a person can seek advice from an anti-discrimination commission or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the anti-discrimination commission or other external agency.

10.3. Disciplinary sanctions

Our club may take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

1. Be applied consistent with any contractual and employment rules and requirements.
2. Be fair and reasonable.
3. Be based on the evidence and information presented and the seriousness of the breach.
4. Be determined by our constituent documents, by-laws, and rules of the game.

Possible sanctions that may be taken include:

1. Direction that the individual make verbal and/or written apology.
2. Counselling of the individual to address behaviour.
3. Withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club.

4. Suspension or termination of membership, participation or engagement in a role or activity.
5. Deregistration of accreditation for a period of time, or permanently.
6. A fine.
7. Any other form of discipline that our club considers reasonable and appropriate.

10.4. Appeals

The complainant or respondent may be entitled to lodge an appeal against a decision in relation to a complaint (including a decision where disciplinary sanctions are imposed by our club) to our *[district, regional, state, or national]* association.

Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations, or by-laws.

Note: It is considered good practice to have a process to appeal against a decision made in respect of a complaint. However, the grounds of an appeal should be specific, (eg. they may be limited to a denial of procedural fairness, on grounds of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club. The jurisdiction of the appeal body will need to be outlined in relevant constituent documents, rules, regulations, or by-laws which are binding on the complainant and respondent.