



Wrestling Australia Inc.

MEMBER PROTECTION POLICY

As approved by the Board of the
Wrestling Australia Inc.

Effective from 24 May 2007

(Updated 10 April 2009 – Name changed)

PREFACE

The Wrestling Australia Inc. is committed to providing a safe and positive sporting experience to all individuals who participate in our sport. The organisation is dedicated to ensuring that the well being of all participants is maintained in all activities delivered by the Wrestling Australia Inc. and its affiliates in all disciplines of the sport – Freestyle, Greco Roman and Beach Wrestling.

It is unlawful to discriminate against people on the basis of an attribute or personal characteristic.

It is unlawful to harass and bully people.

It is therefore unlawful, let alone socially unacceptable to discriminate, harass or bully our wrestling members. We will take all measures possible to create a safe and happy environment for all participants.

It is on this basis that we are proud to put in place practices that will ensure that participants, including wrestlers, coaches, officials, administrators and spectators, are provided with a safe and harassment-free sport.

The policy also details the relevant child protection requirements for States having Child protection/working with children legislation.

Please abide by the articles of this policy and help us to ensure that the sport of Wrestling continues to offer one of the safest sporting experiences in Australia.

Mr John Saul
President
Wrestling Australia Inc.

May 2007

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PART A: MEMBER PROTECTION POLICY

1. WRESTLING AUSTRALIA INC. MISSION AND CORE VALUES

1.1 Vision

Our vision is to facilitate continual growth of wrestling within Australia.

1.2 Mission

Our mission is to nationally develop, promote, administer and co-ordinate in a professional and efficient manner the sport of wrestling for the enjoyment and benefit of all.

1.3 Core Values

- Strive for excellence and innovation.
- Value the well-being and diversity of our people.
- Be responsive to our stakeholders needs.
- Listen and communicate openly.
- Be open and transparent.
- Be co operative and work as a team.
- Be objective, fair and nationally focused in our decision-making.

2. WHAT IS THE PURPOSE OF THIS POLICY?

This Member protection policy aims to ensure our 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. This policy also ensures that everyone involved in our sport is aware of his or her legal and ethical rights and responsibilities. This policy also reflects our support and implementation of the sport industry principles and values outlined in The Essence of Australian Sport - principles of fairness, respect, responsibility and safety.

The policy attachments provide 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 WA INC. will take disciplinary action against any person or organisation bound by this policy if they breach it.

The WA INC. Board has endorsed this policy. The policy starts on **[insert date]** and will operate until replaced. This policy and/or its attachments may be amended from time to time by amendments, by resolution of the WA INC. Board. Copies of the policy and its attachments can be obtained from our website www.wrestling.com.au or from the National WA INC. Office.

3. WHO DOES THIS POLICY APPLY TO?

This policy applies to the following organisations and individuals whether they are in a paid or unpaid/voluntary capacity:

- (a) Individuals appointed or elected to boards of directors, executives and/or committees and sub-committees of the WA INC., Member States;
- (b) Employees, paid contractors and volunteers of the WA INC., Member States and State Affiliates;
- (c) Support personnel (including, but not limited to, team managers and chaperons);
- (d) Coaches and assistant coaches who:
 - (i) Are appointed and/or employed by the WA INC., Member States (whether paid or unpaid);
 - (ii) Have an agreement (whether or not in writing) with the WA INC., a Member State to coach at a facility owned/hired or managed by such organisation;
 - (iii) Are registered members of a coaching association?
- (e) Participants who participate in wrestling or who enter any competition, activity or events (including, but not limited to, camps and training sessions, etc) which are held or sanctioned by the WA INC. or a Member State;
- (f) Competition officials;
- (g) Members, including life members;
- (h) Member States;
- (i) State Affiliates;
- (j) State Delegates;
- (k) Any other person or organisation that is a member of or affiliated to the WA INC., a Member State or a State Affiliate (including Life Members); and
- (l) Parents, guardians, spectators and sponsors to the full extent that is possible including where such persons or organisations have agreed, in writing or otherwise, to be bound by this policy.

This policy will continue to apply to a person even after they have stopped their association with the WA INC., a Member State or a State Affiliate, if disciplinary action, relating to an allegation of child abuse against that person, has commenced.

4. CODE OF CONDUCT

THE WA INC. requires every individual and organisation bound by this policy to:

- (a) Be ethical, fair and honest in all their dealings with other people and the WA INC.;
- (b) Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- (c) Always place the safety and welfare of children above other considerations;
- (d) Comply with the WA INC. Constitution and the WA Inc. rules and policies including this Policy;
- (e) Operate within the rules and spirit of the sport;
- (f) Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
- (g) Be responsible and accountable for their conduct; and
- (h) Abide by the relevant Codes of Conduct outlined in Part D of this policy.

5. ORGANISATIONAL RESPONSIBILITIES UNDER THIS POLICY

5.1 THE WA INC., Member States and affiliated clubs must:

- (a) Adopt, implement and comply with this policy;
- (b) Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- (c) Promote appropriate standards of conduct at all times;
- (d) Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- (e) Apply this policy consistently without fear or favour;
- (f) Recognise and enforce any penalty imposed under this policy;
- (g) Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies;
- (h) Appoint at least one MPIO to receive and handle complaints and allegations and display the names and contact details of such person(s) in a way that is readily accessible;
- (i) Monitor and review this policy at least annually; and
- (j) Make such amendments to their constitution, rules or by laws in order for this policy to be enforceable, as required by The WA INC.

5.2 The WA INC. Board, the Member States and affiliated clubs are responsible for taking all reasonable steps to ensure implementation, compliance and enforcement of this policy.

6. INDIVIDUAL RESPONSIBILITIES

Individuals bound by this policy are responsible for:

- (a) Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- (b) Consenting to a national police check if the individual is a registered coach or holds or applies for a role that involves direct and unsupervised contact with people under the age of 18 years;
- (c) Complying with all other requirements of this policy;
- (d) Co-operating in providing discrimination, child abuse and harassment free sporting environment; and
- (e) Understanding the possible consequences of breaching this policy.

7. POLICY POSITION STATEMENTS

7.1 Child Protection Policy

Every person and organisation bound by this policy must always place the safety and welfare of children above all other considerations.

The WA INC. acknowledges that our staff and volunteers provide a valuable contribution to the positive experiences of our junior participants. The WA INC. aims to ensure this continues and to protect the safety and welfare of its junior participants. Several measures will be used to achieve this such as:

- (a) Prohibiting any form of abuse against children;
- (b) Providing opportunities for our juniors to contribute to and provide feedback on our program development;
- (c) Carefully selecting and screening people whose role requires them to work with junior participants and or have direct and unsupervised contact with children (screening procedures are outlined in Part B of this policy);
- (d) Ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed;
- (e) Providing procedures for raising concerns or complaints (complaints procedure is outlined in Part C of this policy); and
- (f) Providing education and/or information to those involved in our sport on child abuse and child protection.

The WA INC. requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within our sport, to report it immediately to the police or relevant government agency and to your Member State MPIO, Descriptions of the sorts of activity which may be abuse are in the Dictionary at clause 11.

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child

abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in attachment C of this policy.

If anyone bound by this policy reasonably suspects that a child is being abused by his or her parent/s, they are advised to contact the relevant government department for youth, family and community services in their state/territory.

7.2 Anti-Discrimination and Harassment Policy

The WA INC. aims to provide a sport environment where all those involved in its activities are treated with dignity and respect, and without harassment or discrimination.

The WA INC. recognises that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their age, disability, family responsibilities, gender identity, homosexuality or sexual orientation, irrelevant medical or criminal record, marital status, political belief, pregnancy or breastfeeding, race, religion, sex, social origin and/or trade union membership/activity.

The WA INC. prohibits all forms of harassment and discrimination based on personal characteristics listed in the Dictionary. Discrimination and harassment are extremely distressing, offensive, humiliating and/or threatening and create an uncomfortable and unpleasant environment. In most circumstances discrimination and harassment are against the law.

Descriptions of some of the types of behaviour, which could be regarded as harassment or discrimination, are provided in the Dictionary at clause 11.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in attachment C of this policy. This will explain what to do about the behaviour and how the WA INC. will deal with the problem.

7.3 Sexual Relationships Policy

The WA INC. takes the view that intimate relationships (whether or not of a sexual nature) between coaches and participants, while not necessarily of constituting harassment, can have harmful effects on the individual participant involved, on other participants and on the sport's public image. Such relationships may be perceived to be exploitative because there is usually a disparity between coaches and participants in terms of authority, maturity, status and dependence. Given there is always a risk that the relative power of the coach has been a factor in the development of such relationships, coaches at all levels should avoid them. In the event that a participant attempts to initiate an intimate relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such actions.

The law is always the minimum standard for behaviour within the WA INC. and therefore sex with a child is a criminal offence.

7.4 Pregnancy Policy

The WA INC. is committed to providing an inclusive sporting environment for pregnant women involved in its activities. The WA INC. expects everyone bound by this policy to treat pregnant women with dignity and respect and to remove any unreasonable barriers to participation in our sport that disadvantage them. We will not tolerate any unlawful discrimination or harassment against pregnant women or women who may become pregnant.

Descriptions of some of the types of behaviour that could be regarded as pregnancy discrimination or harassment are provided in the Dictionary at clause 11.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in attachment C of this policy. This will explain what to do about the behaviour and how THE WA INC. will deal with the problem.

While many sporting activities are safe for pregnant women to participate in, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the particular sporting activity and the particular pregnant woman's circumstances. The WA INC. will take reasonable care to ensure the safety, health and well being of pregnant women and their unborn children. We will advise pregnant women that there may be risks involved, and 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 children, are of utmost importance in their decision making about the extent and manner in which they participate in our sport.

We encourage all pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation in particular sporting activities.

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.

7.5 Gender Identity Policy

The WA INC. is committed to providing an inclusive sporting environment where transgender or transsexual people involved in its activities are able to contribute and participate. The WA INC. expects everyone who is bound by this policy to treat people who identify as transgender or transsexual fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. We will not tolerate any unlawful discrimination or harassment against a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual.

Descriptions of some of the types of behaviour that could be regarded as transgender or transsexual discrimination or harassment are provided in the Dictionary at clause 11.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in attachment C of this policy. This will explain what to do about the behaviour and how the WA INC. will deal with the problem.

The WA INC. recognises that the exclusion of transgender or transsexual people from participation in sporting events has significant implications for their health, well being and involvement in community life. In general THE WA INC. will facilitate transgender or transsexual persons participating in our sport of the sex with which they identify.

7.6 Other relevant policies

Other WA INC. relevant policies can be found at www.wrestling.com.au. Some of the policies, which contribute to the welfare of all those involved in our activities include:

- Privacy Policy
- Risk Management Policy
- Anti-doping Policy
- Safer Clubs Policy

8. COMPLAINTS PROCEDURES

8.1 Complaints

The WA INC. aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy. A complaint should be reported to the relevant MPIO.

A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the MPIO considers that the complaint falls outside the parameters of this policy and would be better dealt with another way.

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

8.2 Vexatious Complaints & Victimisation

The WA INC. aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint 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 relevant Member State Committee of Management or the WA INC. Board for appropriate action, which may include disciplinary action against the complainant.

The WA INC. will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to sort it out. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.

8.3 Mediation

The WA INC. and the Member States aim to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint; the complainant and the person complained

about (respondent); may also seek the assistance of a neutral third person or a mediator. Lawyers are able to negotiate on behalf of the complainant and/or respondent.

Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the MPIO or other designated person will, in consultation with the complainant, arrange for a mediator to mediate the complaint. More information on the mediation process is outlined in attachment C of this policy.

8.4 Tribunals

The WA INC. Board or the Committee of Management of a Member State may form a hearings tribunal to conduct a hearing into an alleged breach of the policy or a formal complaint that has been referred. Our tribunal hearings procedure is outlined in attachment C of this policy.

A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal. The decision of the appeal tribunal is final and binding on the people involved to the appeal. Our appeals process is outlined in attachment C of this policy.

Every organisation bound by this policy will recognise and enforce any decision made, and form of discipline imposed, by an appeals tribunal under this policy.

9. WHAT IS A BREACH OF THIS POLICY?

It is a breach of this policy for any person or organisation to which this policy applies, too:

- (a) Do anything contrary to this policy;
- (b) Breach the Code of Conduct or any of the Role-Specific Codes of Conduct incorporated in this Policy;
- (c) Bring the sport, the WA INC., Member States or the State Affiliates into disrepute;
- (d) Fail to follow the WA INC. and Member State policies and procedures for the protection, safety and welfare of children;
- (e) Have appointed or continue to appoint a person to a role that involves working with children and young people contrary to this policy;
- (f) Discriminate against or harass any person;
- (g) Victimise another person for reporting a complaint;
- (h) Engage in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;
- (i) Disclose to any unauthorised person or organisation any WA INC., information that is of a private, confidential or privileged nature;
- (j) Make a complaint they **knew** to be untrue, vexatious, malicious or improper;

- (k) Fail to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- (l) Fail to comply with a direction given to the individual or organisation during the discipline process.

10. FORMS OF DISCIPLINE

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include making a verbal or written apology, paying a fine, being suspended or de-registered or having a person's appointment or employment terminated.

11. DICTIONARY

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

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

THE WA INC. means the Wrestling Australia Inc. Inc, the national governing body for wrestling in Australia.

THE WA INC. Constitution means the constitution of the WA INC. as amended from time to time.

National Operations Manager has the same meaning as in the WA INC. Constitution.

Child means a person who is under the age of 18 years (see also definition of young person)

Child abuse relates to 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. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

- Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; giving bad nutritional advice; or training that exceeds the child's development or maturity);
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations);

- Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child); or
- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

Codes of Conduct means the standard of conduct required by the WA INC., which is set out in the codes of conduct and the Role-specific Codes of Conduct, annexed to this policy.

Complaint means a complaint made under this policy.

Complainant means the person making a complaint.

Discrimination means treating or proposing to treat someone less favourably than someone else because of a particular characteristic in the same or similar circumstances in certain areas of public life (this is **Direct Discrimination**). The law also covers **Indirect Discrimination**. The latter is 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. 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;
- 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 their age;
- Breastfeeding: a member of the club who is breastfeeding her baby in the class venue is asked to leave;
- Disability: a junior player is overlooked because of her mild epilepsy;
- Family responsibilities: a club decides not to appoint a person because they have a child with a disability even though the person 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 she tells a team mate 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 her team 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; and
- Sex: specialist coaching is only offered to male players in a mixed team.

Frivolous means trifling or futile.

Harassment is any type of behaviour that the other person does not want and does not return and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and of a type that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or other characteristic (see characteristic list under Discrimination definition).

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 or repeated. It may be explicit or implicit, verbal or non-verbal.

Under this policy discrimination and harassment are not permitted in employment (including volunteer and unpaid employment); when providing sporting goods and services including access to sporting facilities; when providing education and accommodation; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any participant or other person to any competition and the obtaining or retaining membership of clubs and organisations (including the rights and privileges of membership).

Some exceptions to state and federal anti-discrimination law apply. Examples may include:

- Holding a competitive sporting activity for females only who are 14 years of age or over where strength, stamina or physique is relevant; or
- 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 sporting activity.

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

It is also against discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment.

Public acts of racial hatred, which are reasonably likely in the circumstances 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 definition.

Hearings Convenor means a person appointed in accordance with Attachment C4, who is responsible for the administration of hearings by the Hearings Tribunal.

Hearings Tribunal means the tribunal of the WA INC. or a Member State established to hear and determine alleged breaches and appeals under this Policy.

Junior means a person under the age of eighteen (18) years who is participating in an activity of the WA INC., Member State or Affiliated Club.

Malicious means with wrongful intention.

Mediator means a person appointed to mediate complaints made under this policy. It is preferable that the mediator has relevant skills, qualifications and/or training in mediation.

Member State has the same meaning as in the WA INC. Constitution.

Member protection is a term used by the Australian sport industry to describe the practices and procedures that protect members – both individual members such as players, coaches and officials, and the member organisations such as clubs, state associations, other affiliated associations and the national body. Member protection involves:

- Protecting those that are involved in sport activities from harassment, abuse, discrimination and other forms of inappropriate behaviour;
- Adopting appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with juniors; and
- Providing education.

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. The MPIO provides confidential information and moral support to the person with the concern or who is alleging harassment or a breach of this policy. They help the complainant deal with any emotions they may have about what has happened and operate as a sounding board as the complainant decides what they want to do. The MPIO may accompany the complainant in anything they decide to do, if it feels appropriate and they are happy to do it.

Natural justice incorporates the following principles:

- A person who is the subject of a complaint must be fully informed of the allegations against them;
- A person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence;
- All parties need to be heard and all relevant submissions considered;
- Irrelevant matters should not be taken into account;
- No person may judge their own case;
- The decision maker/s must be unbiased, fair and just; and
- The penalties imposed must not outweigh the ‘crime’.

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

Policy and **this policy** mean this Member Protection Policy.

Respondent means the person who is being complained about.

Role-specific Codes of Conduct means standards of conduct required of people in certain roles (e.g. coaches).

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

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

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

- Rape;
- Indecent assault;
- Sexual assault;

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

State Delegates has the same meaning as in the WA INC. Constitution.

Vexatious means malicious or trivial of intent.

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 another person to make a complaint.

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

Young People/person means people in the 13 – 18 year age group.

PART B: CHILD PROTECTION 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 New South Wales, Queensland, Western Australia, Victoria and South Australia laws require individuals involved in areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with children. 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.

The Northern Territory government has passed new law and screening will be compulsory from January 2010. The Australian Capital Territory and Tasmania are currently reviewing their screening laws. New requirements and amendments will be added to this policy as they are introduced.

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 U18 into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with NSW law.

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

The following attachments provide:

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

our screening requirements for people residing in ACT and Tasmania.

As part of the WA Inc. commitment to protecting the safety and welfare of children and young people involved in wrestling activities, the WA INC. requires the requirements outlined in attachments B1 to B7 to be met.

Attachment B1: Child Protection Requirements

This attachment sets out the screening process for people in WA INC. who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years.

Association/club requirements

Under this Policy, THE WA INC., Member States and State Affiliates are required to:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed Member Protection Declaration (MPD) (Attachment B2) from all people who are identified in the above step and keep the forms in a safe place.

3.

If a MPD is not provided, or it reveals that a person does not satisfactorily meet with one or more of the clauses in the MPD (e.g. has a relevant criminal conviction), the organisation will:

- Provide an opportunity for the person to respond/provide an explanation; and
- Make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.

If unsatisfied, then the organisation will:

- In the case of an existing employee/volunteer, seek legal advice and transfer the person to another role, which does not require them to work directly and unsupervised with people under the age of 18 years. If this is not possible, then end the appointment; and
- In the case of a someone applying for the position/role, not appoint them.

4. Check a person's referees (verbal or written) and interview a person about his/her suitability for the role and his/her suitability for working with children for both paid and voluntary positions.
5. Ask people applying for a position that involves direct and unsupervised contact with people under the age of 18 years to **sign a consent form** for a national police check. (Information on police checks and forms can be found at www.ausport.gov.au/ethics/policechecks.asp).
6. Request a national police check from the relevant police jurisdiction for people applying for paid and voluntary positions that involves direct and unsupervised contact with people under the age of 18 years.

In most police jurisdictions a 'Part Exclusion' check for people working with children can be requested. This check excludes irrelevant records.

If the police check indicates a relevant offence, the relevant organisation will:

- Provide an opportunity for the person to respond/provide an explanation; and
- Make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.

If unsatisfied, then the organisation will:

- In the case of an existing employee/volunteer, seek legal advice and transfer the person to another role, which does not require them to work directly and unsupervised with people under the age of 18 years. If this is not possible, then end the appointment; and
- In the case of a someone applying for the position/role, not appoint them.

If the person does not agree to a national police check after explaining why it is a requirement, the relevant organisation shall make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If unsatisfied, the organisation will:

- In the case of an existing employee/volunteer, seek legal advice and transfer the person to another role, which does not require them to work directly and unsupervised with people under the age of 18 years. If this is not possible, then end the appointment; and
- In the case of a someone applying for the position/role, not appoint them.

7. Decide whether to offer the person the position or, if applicable, retain the person in the position, taking into account the result of the police check and any other information the WA INC. has available. Where it is not practical to complete the police check prior to employment commencing, the WA INC. must still complete the check as soon as possible. The WA INC. will advise the person that their ongoing employment is conditional upon the satisfactory outcome of the check.
8. Where a national police check is obtained under this Policy, another organisation that is also required to screen may obtain a copy of the national police check provided that the consent of the relevant person is obtained and the national police check was performed in the immediately preceding two years.
9. Protect the privacy of any person who is checked and the confidentiality of any information obtained through the checking process. Information collected during screening (such as a completed MPD form, police records and referee reports) will be returned to the relevant person if that person is not appointed to/will not remain in the position, or otherwise be destroyed with the consent of the person concerned.

Attachment B2: Member Protection Declaration

The WA INC has a duty of care to all those associated with the sport at club, state and national level, and to the individual and organisation to whom our National Member Protection Policy applies. As a requirement of our National Member Protection Policy, WA INC must enquire into the background of those who undertake and 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, acts of violence, intimidation or other forms of harassment.

- 4. I am not currently serving a sanction for an anti-doping rule violation under the ASADA approved anti-doping policy applicable to me.
- 5. I will participate in, facilitate or encourage any practise 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 the WA INC. may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
- 7. I will notify the President of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in the clauses above has changed for whatever reason.

Declared in the State/Territory of

On (date) Signature.....

Parent/Guardian Consent (in respect of 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 B3: Queensland Blue Card Requirements

This information is subject to change at any time. Refer to *the Queensland Commission for Children and Young People and Child Guardian’s (Commission) website: www.bluecard.qld.gov.au or contact 1800 113611 if you have any queries about your obligations under their legislation. This information was updated in April 2009 and is provided as a guide only.*

A person will need a Working with Children Check, also known as the **blue card**, if they propose to work in a paid or voluntary capacity or to carry on a business in a child-related area regulated by the *Commission for Children and Young People and Child Guardian Act 2000*. Once a person is checked and approved they are issued with a “blue card.” Volunteers and paid employees employed in sporting organisations generally fall under the ‘churches, clubs and associations’ category of regulated employment. Volunteers and paid employees employed in private businesses may fall under the ‘sport and active recreation’ category of regulated employment. The check is a detailed national criminal history check including charges and investigations relating to children.

People such as those with previous convictions involving children are disqualified from applying for or renewing a blue card (refer to website below for details).

A blue card remains current for two years. Existing card holders will be notified by the Queensland Commission for Children and Young People and Child Guardian before their card expires.

In addition to obligations regarding the blue card, **employers** must develop and implement a written child protection risk management strategy and review it each year.

For more information on the blue card, including current forms:

- www.ccytg.qld.gov.au
- 1800 113 611
-

Attachment B4: New South Wales Requirements To Check People Working With Children

This information will change during 2006 once the Commission for Children and Young People Amendment Act 2005 is proclaimed. Refer to the NSW Commission for Children and Young People website: www.kids.nsw.gov.au or contact 02 9286 7219 to ensure you have to date information. This information was updated 27 April 2006.

All organisations within NSW that employ people in child-related employment (in a paid or unpaid capacity) must meet the requirements of the Working with Children Check (WWCC). Child related employment is work which primarily involves direct unsupervised contact with children. The WWCC involves three components:

1. **Ensuring** all paid and unpaid employees sign a [Prohibited Employment Declaration](#) which states they are not prohibited from working with children.
2. **Submitting** all applicants for **paid** employment to NSW Sport and Recreation for a WWCC background check. NSW Sport and Recreation only carries out checks for paid employees.
3. **Reporting** relevant employment proceedings for any paid and unpaid employees to the Commission for Children and Young People. A relevant employment proceeding involves any reportable conduct committed outside of work as well as in the workplace with or in the presence of a child/ren.

Sporting organisations are responsible for managing the WWCC process. Individuals cannot apply for a WWCC directly. Sporting organisations should register with **NSW Commission for Children and Young People**, providing a contact who will receive the information on the background checks.

A WWCC is valid for employment in that position within the organisation. Short-term employees (where that person is being employed for periods of less than six months and returning for short periods throughout a 12 month period) only need to be checked **once** every 12 months.

For more information, including the required forms:

- www.kids.nsw.gov.au or 02 9286 7219
- www.dsr.nsw.gov.au/children/resources.asp or 02 9006 3700

Attachment B5: Western Australia Child Protection Requirements

This information is subject to change at any time. Refer to the Department of Community Development Working with Children Screening Unit website www.checkwwc.wa.gov.au or contact 1800 883 979. This information was updated on 1 April 2006.

The Working with Children Check (WWC Check) is a compulsory and rigorous criminal record check for certain people who carry out 'child-related work' in WA. A person is in 'child-related work' if the usual duties of their work involves, or is likely to involve contact with a child in connection with specified categories of work (see the website below for further details) It includes child-related work carried out by paid employees, volunteers, unpaid people and the self-employed. Parents volunteering in connection with their child's activity are exempt (although this does not apply to overnight camps); however they should still be required to complete the non-WWC Check screening process. There are other exemptions, for example volunteers under 18 years old. Further details about exemptions can be found on the website below. Only those in child-related work under the Act may apply.

Applicants will be issued with either:

- An Assessment Notice in the form of a WWC Card enabling them to be in all types of child-related work for three years unless there are new offences of concern.
- An Interim Negative Notice, which prohibits them from child-related work until a final decision is made on their application.
- A Negative Notice, which prohibits them from child-related work.

There are set obligations and strong penalties for non-compliance including for employers and volunteer co-coordinators.

For more information:

- www.checkwwc.wa.gov.au or call 1800 883 979 (toll free)

Attachment B6: Victoria Child Protection Requirements

This information is subject to change at any time. Refer to the Department of Justice website: <http://www.justice.vic.gov.au> and follow the Working with Children Check link under Business Units or contact 1300 652 879. This information was updated 1 April 2006.

The Working with Children (WWC) Check creates a mandatory minimum checking standard across Victoria. The *Working with Children Act 2005* requires that some people who work or volunteer in child-related work require a WWC Check. The check involves a national police records check and a review of relevant findings from prescribed professional disciplinary bodies (currently only the Victorian Institute of Teaching). There is an exemption for volunteers whose own children are involved in the particular activity; however they should still be required to complete the screening process.

A person who has no criminal or professional disciplinary history will be granted an *assessment notice*. This notice will entitle the person to undertake child-related work in Victoria and is valid for five years (unless revoked). A person deemed unsuitable to work or volunteer with children will be given a *negative notice* and cannot work in child-related work in Victoria.

For more information:

- www.justice.vic.gov.au/workingwithchildren or 1300 652 879

Attachment B7: South Australian Child Protection Requirements

This information is subject to change at any time. Refer to the Department of Families and Communities website www.familiesandcommunities.sa.gov.au or the South Australian Office for Recreation and Sport's website www.resport.sa.gov.au or contact 08 8416 6633 if you have any queries about your obligations under the legislation. This information was updated on 1 May 2006.

There are provisions under the *Children's Protection (Miscellaneous) Amendment Act 2005* that apply to non-government and volunteer organisations that are entrusted with the care of children or who regularly come into contact with children. Part of the Government regulations are 'Seven Principles of Good Practice' which clubs and organisations are expected to adopt as proactive and preventative strategies. These principles are to help prevent and minimise opportunities for abuse and to appropriately respond when abuse occurs or is suspected. The principles can be assessed at the following link:

http://www.recsport.sa.gov.au/training-development/documents/Keep_Children_Safe_Guidelines.pdf

Criminal history assessments (checks) are likely to be mandatory for most positions in sporting organisations from 2010/2011. Some exemptions could apply.

Staff and volunteers who work with children are mandated notifiers and have a legal obligation to report any suspected child abuse and/or neglect.

For more information:

- <http://www.dfc.sa.gov.au/pub/Default.aspx?tabid=281>

Attachment B8: Northern Territory Protection Requirements

This information is subject to change at any time and should only be used as a guide. This information was updated in April 2010,

From January 2010, all persons employed in child related work, either paid or as a volunteer, must hold a valid clearance notice issued by the SAFE NT Screening Authority. There are penalties for failure to comply. Sports coaches, trainers, team administrators, officials and volunteers of Sporting Organisations that deal with children are included under the legislative requirements.

Clearance notices are valid for two years from date of issue unless revoked, and are transferable within employment fields. As a part of the assessment process, SAFE NT will consider the applicant's criminal history record and other relevant information.

For more information contact 1800 SAFE NT (1800 723 368)

PART C: PROCEDURES

To ensure due process, consistency and that the principles of natural justice are followed in all aspects of handling or conducting complaints, allegations, investigations, tribunals and disciplinary measures, the WA INC. will follow and implement the following procedures.

- C1 Complaints Procedure
- C2 Mediation Procedure
- C3 Investigation Procedure
- C4 Investigation Procedure for allegations of child abuse
- C5 Hearings and Appeals Tribunal Procedure
- C6 Disciplinary Measures

Attachment C1: Complaints Procedure

A complaint can be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy. Complaints will always vary. They may be about individual or group behaviour; they may be extremely serious or relatively minor; they may be about a single incident or a series of incidents; and the person about who the allegation is made may admit to the allegations or emphatically deny them.

Given all of the variables that can arise, the WA INC. provides a step-by-step complaint procedure that people may use/enter at any stage. Individuals and organisations to which this policy applies May also pursue their complaint externally under anti-discrimination, child-protection or other relevant legislation.

If at any point in the complaint process the MPIO considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter will be referred to the WA INC. Board for appropriate action. All complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

Step 1

As a first step you (the complainant) should try to sort out the problem with the person or people involved if you feel able to do so.

Step 2

If:

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

Talk with one of our Member Protection Information Officers (MPIOs). A list of MPIOs is available on request from the WA INC. National Office

The MPIO will:

- Take notes about your complaint (which the MPIO will keep in a secure and confidential place);
- Try to sort out the facts of the problem;
- Ask what outcome/how you want the problem resolved and if you need support;
- Provide possible options for you to resolve the problem;
- Explain how our complaints procedure works;
- Act as a support person if you so wish;
- Refer you to an appropriate person to help you resolve the problem, if necessary;
- Inform the relevant government authorities and/or police if required by law to do so; and
- Maintain strict confidentiality.

Step 3

After talking with the MPIO, you may decide:

- There is no problem;
- The problem is minor and you do not wish to take the matter forward;

- To try and work out your own resolution (with or without a support person such as a MPIO); or
- To seek an informal mediated resolution with the help of a third person (such as a mediator or a Manager).

If you wish to remain anonymous, the WA INC. can't assist you to resolve your complaint. We have to follow the principles of natural justice and be fair to both sides. This means that the WA INC. or you may be required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond to all the allegations.

Step 4

If your complaint is not resolved to your satisfaction, you may:

- Make a formal complaint in writing to the National Operations Manager
- Approach a relevant external agency such as an equal opportunity commission, for advice.

Step 5

If you decide to make a formal complaint in writing under Step 4, the MPIO will, on receiving the formal complaint and based on the material you have provided, 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. Some complaints may be of a minor and/or purely personal nature with no connection to the activities of the WA INC. In these cases, the MPIO may determine that the complaint does not warrant a formal resolution procedure;
- To appoint a person to investigate the complaint;
- To refer the complaint to an informal or formal mediation session;
- 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 administrative or other arrangements that will apply until the complaint process set out in these Procedures is completed.

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

- Whether they have had any personal involvement in the circumstances giving rise to the complaint and, if so, whether their ability to impartially manage the complaint is compromised or may appear to be compromised;
- Whether, due to the nature of the complaint, specific expertise or experience may be required to manage the complaint;
- Your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- Whether, due to the nature of the complaint, the relationship between you and the respondent and any other relevant factors, the complaint should be referred (or should not be referred) to informal or formal mediation or to a hearings tribunal. Relevant factors may include an actual or perceived power imbalance between you and the respondent, the nature of any ongoing working relationship between you and the respondent, and the personal attributes of you and the respondent (for example, if one party does not speak English fluently, some of the possible complaints resolution mechanisms may not be appropriate);
- The nature and sensitivity of any information or other material that must be provided by you, the respondent, and any of the other people involved in the complaint;

- Whether the facts of the complaint are in dispute; and
- The urgency of the complaint, including the likelihood and the consequences (if the complaint is ultimately proven) that you will be subject to further unacceptable behaviour while the complaint process set out in these Procedures is being conducted.

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

- Get full information from you (the complainant) about your complaint and how you want it resolved (if this information has not already been obtained through earlier steps);
- Put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story;
- Decide whether they have enough information to determine whether the matter alleged in your complaint did or didn't happen; and/or
- Determine what, if any, further action to take. This action may include disciplinary action in accordance with Attachment C6, appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session or a hearings tribunal and/or referring the complaint to the police or other appropriate authority.

Step 6

If:

- A person is appointed to investigate the complaint under **Step 5**, the investigator will conduct the investigation and provide a written report to the WA INC. Board who will determine what, if any, further action to take. This action may include a direction to the investigator to make further enquiries and obtain additional information, disciplinary action in accordance with Attachment C6, and referring the complaint to an informal or a formal mediation session, a hearings tribunal and/or the police or other appropriate authority;
- The complaint is referred to an informal or a formal mediation session under **Step 5**, the mediation session will be conducted in accordance with Attachment C2 or as otherwise agreed by you and the respondent;
- The complaint is referred to a hearings tribunal under **Step 5**, the hearing will be conducted in accordance with Attachment C5;
- The complaint is referred to the police or other appropriate authority under **Step 5**, the WA INC. will use its best endeavours to provide all reasonable assistance lawfully required by the police or other appropriate authority; and
- Interim administrative or other arrangements are implemented under **Step 5**; the WA INC. will periodically review these arrangements to ensure that they are effective.

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 organisation and/or individual unless otherwise stated in the relevant Attachment.

Step 7

If, under **Step 6**, an informal or formal mediation session is conducted, and you and the respondent(s) cannot reach a mutually acceptable mediated solution to the complaint, you may request National Operations Manager reconsider the complaint in accordance with **Step 5**.

You or the respondent(s) may be entitled to appeal where:

- Under **Step 5**, a decision was made by National Operations Manager
 - Not to take any action; or
 - To take disciplinary action; or
- Under **Step 6**, a decision was made by the WA INC. Board or a hearings tribunal:
 - Not to take any action; or
 - To take disciplinary action.

The grounds for appeal and the process for appeals under this Policy are set out in Attachment C5.

If the internal complaints processes set out in this Policy do not achieve a satisfactory resolution/outcome for you, or if you believe it would be impossible to get an impartial resolution within the WA INC., you may choose to approach an external agency such as an equal opportunity commission to assist with a resolution.

Step 8

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

External procedure

There may be a range of external options available to you 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 equal opportunity commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be a type of harassment that comes within its jurisdiction, you may then make a decision as to whether or not to lodge a formal complaint with the commission.

Once an anti-discrimination commission receives a complaint, an investigation will be conducted. If it appears that unlawful harassment or discrimination has occurred, there will usually be an attempt to conciliate the complaint confidentially first. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made as to whether unlawful harassment or discrimination occurred. 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.

An anti-discrimination commission can decline to investigate a complaint, or dismiss a complaint at any point in the investigation, conciliation or public hearing stages.

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

Attachment C2: MEDIATION

Mediation is a process by which people who are in conflict can be helped to communicate with each other about what is important for them and how to make decisions about resolving their dispute. Mediators provide a supportive atmosphere and method of talking to one another, to assist in sorting out the issues, coming up with acceptable solutions and making mutually satisfactory agreements.

This attachment outlines the general procedure of mediation that will be followed by the WA INC.

1. The people involved in a formal complaint (complainant and respondent(s)) may work out their own resolution of the complaint or seek the assistance of a neutral third person or a mediator. Mediation may occur either before or after an investigation of the complaint.
2. Mediation (getting those involved to come to a joint agreement about how the complaint should be resolved) will only be recommended:
 - a. After the complainant and respondent have had their chance to tell their version of events to the MPIO on their own; *and*
 - b. The MPIO does not believe that any of the allegations warrant any form of disciplinary action - proven serious allegations will not be mediated, no matter what the complainant desires; and
 - c. Mediation looks like it will work (i.e. the versions given by the complainant and respondent tally or almost tally and/or at the very least, it looks as though it will be possible for each party to understand the other party's point of view).
3. Mediation will **not** be recommended if:
 - a. The respondent has a completely different version of the events and they won't deviate from these;
 - b. The complainant or respondent are unwilling to attempt mediation; or
 - c. Due to the nature of the complaint, the relationship between you and the respondent(s) and any other relevant factors, the complaint is not suitable for mediation.
4. If mediation is chosen to try and resolve the complaint, the MPIO will, under the direction of the WA INC. and in consultation with the complainant and the respondent(s), arrange for a mediator to mediate the complaint.
5. The MPIO will notify the respondent(s) that a formal complaint has been made, provide them with details of the complaint and notify them the WA INC. has decided to refer the matter to mediation to resolve the complaint.
6. 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, the mediator will prepare an agenda of issues for discussion.

7. 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.
8. At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached between the complainant and respondent(s) and they will sign it as their agreement.
9. If the formal complaint is not resolved by mediation, the complainant may:
 - a. Write to National Operations Manager to request that the WA INC. reconsider the complaint in accordance with **Step 5**; *or*
 - b. Approach an external agency such as an anti-discrimination commission.

Attachment C3: INVESTIGATION PROCESS

If an investigation needs to be conducted the following steps are to be followed:

1. A written brief will be provided to the investigator to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.
2. The complainant will be interviewed and the complaint documented in writing.
3. The details of the complaint will be conveyed to the person/people complained about (respondent(s)) in full. The respondent(s) must be given sufficient information to enable them to properly respond to the complaint.
4. The respondent(s) will be interviewed and given the opportunity to respond. The respondent(s) response to the complaint will be documented in writing.
5. If there is a dispute over the facts, then statements from witnesses and other relevant evidence will be obtained to assist in a determination.
6. The investigator will make a finding as to whether the complaint is:
 - Substantiated (there is sufficient evidence to support the complaint);
 - Inconclusive (there is insufficient evidence either way);
 - Unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - Mischievous, vexatious or knowingly untrue.
7. A report documenting the complaint, investigation process, evidence, finding and, if requested, recommendations, will be given to the WA INC. Board
8. A report documenting the complaint and summarising the investigation process and key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous will be provided to the complainant and the respondent(s).
9. Both the complainant and the respondent(s) are entitled to support throughout this process from their chosen support person/adviser e.g.MPIO
10. The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Information on our appeals process is in Attachment C5.

More detailed information on conducting internal investigations can be found at www.ausport.gov.au/ethics/policy.asp

Attachment C4: INVESTIGATION PROCEDURE - CHILD ABUSE

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. The initial response to a complaint that a child has allegedly been abused should be immediate if the incident/s are serious or criminal in nature while less serious/urgent allegations should be actioned as soon as possible, preferably within 24 hours.

The following is a basic outline of the key processes to follow. More information can be obtained from your relevant State or Territory government agency.

11.2 Step 1 - Clarify basic details of the allegation

- Any complaints, concerns or allegations of child abuse should be made or referred to the MPIO. The initial response of the person that receives the complaint from the child (or person on behalf of the child) is crucial to the well-being of the child. It is important for the person receiving the information to:
 - Listen to, be supportive and do not dispute what the child says;
 - Reassure the child that what has occurred is not the fault of the child;
 - Ensure the child is safe;
 - Be honest with the child and explain that other people may need to be told in order to stop what is happening; and
 - Ensure that what the child says is quite clear but do not elicit detailed information about the abuse. You should avoid suggestive or leading questions.
- The person receiving the complaint should obtain and clarify basic details (if possible) such as:
 - Child's name, age and address;
 - Person's reason for suspecting abuse (observation, injury or other); and
 - Names and contact details of all people involved, including witnesses.

11.3 Step 2 – Report allegations of a serious or criminal nature

- Any individual or organisation to which this policy applies, **should immediately report any incident of a serious or a criminal nature to the police and other appropriate authority.**
- If the allegation involves a child at risk of harm, the incident should immediately be reported to the police or other appropriate government agency. You may need to report to both the police and the relevant government agency.
- The relevant State or Territory authority should be contacted for advice if there is **any** doubt about whether the complaint should be reported.
- If the child's parent/s are suspected of committing the abuse, report the allegation to the relevant government agency.

11.4 Step 3 – Protect the child

- The MPIO should assess the risks and take interim action to ensure the child's/children's safety. Some options that the WA INC. could implement include 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.

- The MPIO should also address the support needs of the person against whom the complaint is made. Supervision of the person should ideally occur with the knowledge of the person. If stood down, it should be made clear to all parties that are aware of the incident that this does not mean the person is guilty and a proper investigation still needs to be undertaken.

11.5 Step 4 – Further clarify and investigate allegation

- Seek advice from the police and relevant government agency as to whether the WA INC. should carry out its own internal investigation (in addition to or in conjunction with any police or relevant government agency investigation).
- If the police and/or relevant government agency advises that it is appropriate, then appoint an independent person (where possible) with appropriate expertise to conduct an investigation. The investigator should:
 - Contact the parents/carers of the child at an appropriate time and as directed by the police or relevant government agency.
 - If appropriate, meet with parents/carers and the child to clarify the incident and offer support on behalf of the WA INC. if required (example, professional counselling).
 - Meet with the person against whom the allegation refers at an appropriate time and as directed by the relevant authority and give the person an opportunity to explain or respond to the allegation and identify any witnesses and supporting evidence. The person should have an opportunity to invite a support person/adviser to attend at a meeting and should be offered support (example, professional counselling) if necessary.
 - Obtain a signed statement and record of interview from the person.
 - Make contact with any witnesses and obtain written and signed statements outlining details of the allegation (what happened, when, how). This should only occur following advice from the relevant authority.
 - Obtain other information that could assist in making a decision on the allegation.
- The information collected during the investigation should be made available to the relevant authorities.
- Strict confidentiality, impartiality, fairness and due process must be maintained at all times.

11.6 Step 5 – Record and analyse all information

- If an internal investigation was conducted under **Step 4**, the investigator will provide a report to the WA INC. Board
- The decision-maker(s) will be the Board of the WA INC. and will remain separate and at arm's length from the investigator.
- The Board will consider all the information and determine a finding. It will also recommend action and its rationale for the action.

Step 6 – Undertake disciplinary action

- For incidents of a serious or criminal nature, consideration must be given to the findings of the police and/or the government agency before making a decision on disciplinary proceedings.
- If disciplinary action is to be taken, follow the procedures outlined in Attachment C6 of the policy.
- Implement any disciplinary decision recommended by the WA INC. Board. The action should be immediate.
- Check with the relevant state government authority to see if you need to forward a report (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).
- Complete the report form in Part E of this policy. Retain the original in a secure place and forward a copy to the National Operations Manager of the WA INC.

- **Attachment C5: HEARINGS & APPEALS TRIBUNAL**

Attachment C4: Hearings & Appeals Tribunal Procedure

1. Hearings

Where the Hearings Convenor at the WA INC. or a Member State receives a Complaint referred to it under Attachment C1, he or she shall follow the procedures set out in this clause.

Upon receipt of the Complaint, the Hearings Convenor shall as soon as possible do the following:

Determine the composition of the Hearings Tribunal, as detailed in clause 1(c) below.

Send to the person complained about:

A notice setting out the alleged breach including details of when/where it is alleged to have occurred;

A notice setting out the date, time and place for the hearing of the alleged breach which shall be as soon as reasonably practicable after receipt of the Complaint; and

A copy of the Complaint,

("Notice of Alleged Breach").

Send to the complainant(s) and the chairperson of the Hearings Tribunal a copy of the Notice of Alleged Breach.

The Hearings Tribunal for each hearing shall be appointed by the WA INC. Board or the relevant Member State and shall comprise of the following persons:

- (i) A barrister or solicitor (who shall be the "**chairperson**") or, if after reasonable attempts have been made to obtain one without success, then a person with considerable previous experience in the legal aspects of a disciplinary/hearings tribunal;
- (ii) A person with a thorough knowledge of the sport; and
- (iii) One other person of experience and skills suitable to the function of the Hearings Tribunal, **provided that** such persons do not include:
 - A. A person who is a member of the Board (however described) of the organisation which appoints the Hearings Tribunal; or
 - B. A person who would, by reason of their relationship with the complainant or the person complained about, be reasonably considered to be other than impartial.

Frivolous, vexatious or malicious Complaints:

If within 48 hours of sending the Notice of Alleged Breach, the person complained about alleges in writing to the Hearings Convenor that the Complaint is frivolous, vexatious or malicious, the chairperson shall as a preliminary issue, determine whether or not such Complaint is frivolous, vexatious or malicious and shall advise the parties of his or her determination.

The Hearings Convenor shall provide to the other parties to the hearing (see clause 1(f)) a copy of the written allegation made by the person complained about, that the Complaint is frivolous, vexatious or malicious.

The chairperson shall determine such preliminary issue as soon as practicable and in whatever manner the chairperson considers appropriate in the circumstances provided that he or she does so in accordance with the principles of natural justice.

The decision of the chairperson under this clause 1(d) may be appealed within 48 hours of the determination to the relevant appeal body under clause 2 below.

The Hearings Tribunal shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it does so in accordance with the principles of natural justice. The purpose of the hearing shall be to determine whether the person complained about has committed a breach of this Policy. If the Hearings Tribunal considers that the person complained about has committed a breach of this Policy, it may impose any one or more of the penalties set out in Attachment C5.

The parties to the hearing shall include the complainant, the person complained about and the relevant organisation (being the WA INC., the relevant Member State or the relevant Affiliated Club) and any witnesses that the Hearings Tribunal considers necessary to participate in the hearing.

If upon receipt of the Notice of Alleged Breach, the Hearings Tribunal considers that pending the determination of the matter the person complained about may put at risk the safety and welfare of the complainant or others, it may order that the person complained about be:

Suspended from any role they hold with the WA INC., the relevant Member State or the relevant Affiliated Club;

Banned from any event or activities held by or sanctioned by the WA INC., the Member States and/or the State Affiliates; and/or

Required not to contact or in any way associate with the complainant or other person about whom the alleged breach relates,

Pending the determination of the hearing.

There is no right of appeal of the decision by a Hearings Tribunal under clause 1(g).

A barrister or solicitor may represent no party to the hearing. However the chairperson of the Hearings Tribunal may grant leave for a party to the hearing to be represented by a barrister or solicitor where their livelihood or proprietary is at risk. A party may be represented by an advocate who is not a barrister or solicitor at the hearing.

Each party to the hearing shall bear their own costs in relation to the hearing.

The Hearings Tribunal shall give its decision as soon as practicable after the hearing and the Hearings Convenor will deliver to the following a statement of the written reasons:

The complainant;

The person complained about; and

Any other party represented in the hearing.

Each member of each Hearings Tribunal established under this Policy shall be indemnified by the organisation which appointed them, from any claim or action for loss, damages, or costs made against them arising out of, or in connection with, their function as a member of the Hearings Tribunal under this Policy.

Except as otherwise provided in this Policy, all members of the Hearings Tribunal shall keep all matters relating to the hearing (including but not limited to the nature of the Complaint, information obtained before and during the hearing and the decision of the Hearings Tribunal) confidential.

To the extent of any inconsistency between the hearing procedure set out in the WA INC. Constitution and the Member States and the hearing procedure set out in this Policy, this Policy shall prevail in relation to all Complaints under this Policy.

2. How can a decision be appealed?

The person complained about may appeal a decision of a Hearings Tribunal on the grounds that natural justice has not been provided.

An appeal shall be made to the following appeal body:

An appeal against a decision of a Hearings Tribunal established by a Member State, shall be made to the Hearings Tribunal of the WA INC. Subject to the discretion of the chairperson of the Hearings Tribunal, all appeals to the WA INC. shall be heard at a location nominated by the WA INC.; and

An appeal against a decision of a Hearings Tribunal established by the WA INC., shall be made to the appeal division of the Court of Arbitration for Sport (Oceania Registry) ("**CAS**"),

(Referred to as the "**Appeal Body**").

There is only one right of appeal following the decision of the initial Hearings Tribunal. The Appeal Body must solely and exclusively resolve any appeal and the decision of such Appeal Body is final and binding on the parties. It is agreed that no party to such appeal may institute or maintain proceedings in any court or tribunal other than the relevant Appeal Body. **Note: This provision does not prevent any person or organisation taking separate action under federal or state legislation.**

The process for such appeal is as follows:

The party wishing to appeal ("**Appellant**") shall within 72 hours of the Hearings Tribunal delivering its decision:

In the case of an appeal to the WA INC., advise in writing the Hearings Convenor of the WA INC. of their intention to appeal ("**Notice of Intention to Appeal**");

In the case of an appeal to CAS, complete and file an application to appeal with CAS in accordance with the Code of Sports Related Arbitration;

For an appeal to the WA INC., as soon as possible after receipt of the Notice of Intention to Appeal, the Hearings Convenor of the WA INC. shall appoint a Hearings Tribunal to hear and determine the appeal, which shall comprise of persons in accordance with clause 1(c) above; and

Within 5 days of lodging the Notice of Intention to Appeal, (or such shorter time as determined by the Appeal Body if there is urgency) the Appellant shall:

Pay the appeal fee to the Hearings Convenor of the WA INC., which shall be \$110.00 (including GST) which is non-refundable, or in the case of an appeal to CAS, the fee as per the Code of Sports-Related Arbitration applicable to CAS; and

- (i) Submit to the Hearings Convenor of the WA INC. or CAS (as the case may be) four written copies of the grounds of appeal. The Hearings Convenor of the WA INC. shall provide a copy of the grounds of appeal to the other party, to the Hearing Convenor of the organisation that established the Hearings Tribunal who made the decision that is the subject of the appeal and the chairperson of the Appeal Body.

If either of the requirements in this sub-clause are not met by the due time the appeal shall be deemed to be withdrawn;

On completion of the procedures in (d), the Hearings Convenor of the WA INC. or the chairperson of CAS (as the case may be) shall determine a place, time and date for the hearing of the appeal and as soon as possible thereafter notify all parties to the appeal in writing of such details; and

The procedure for the appeal shall be the same as the procedure for the Hearings Tribunal set out in clause 1 except where the Appeal Body is CAS, in which case the Code of Sports-Related Arbitration shall apply.

The Appeal Body may reject an appeal on the basis that the grounds of appeal are not satisfied.

Upon hearing the appeal, the Appeal Body may do any one or more of the following:

Dismiss the appeal;

Uphold the appeal;

Impose any of the penalties set out in Attachment C5; and/or

Reduce, increase or otherwise vary any penalty imposed by the initial Hearings Tribunal.

If the penalty imposed by the Appeal Body affects other organisations required to comply with this Policy, the Hearings Convenor of the Appeal Body shall as soon as possible notify in writing the relevant organisation of the penalty. Every organisation to which this Policy applies shall recognise and enforce any decision and penalty imposed by an Appeal Body under this Policy.

The Appeal Body has no power to award costs and each party shall bear their own costs in relation to any appeal.

To the extent of any inconsistency between the hearing appeal procedure set out in the WA INC. Constitution or the Member States and the hearing appeal procedure set out in this Policy, this Policy shall prevail in relation to all Complaints under this Policy.

Attachment C5: Disciplinary Measures

What Penalties may be imposed?

1. **For breaches committed by organisations:** If the Hearings Tribunal considers that the WA INC., a Member State, a State Affiliate or any other organisation has breached this Policy, it may impose any one or more of the following penalties on such organisation:
 - Direct that any funding granted or given to it by the WA INC. or a Member State cease from a specified date;
 - Impose a monetary fine for an amount determined by the Hearings Tribunal;
 - Impose a warning;
 - Recommend to the WA INC. and/or the relevant Member State that its membership of such organisation be suspended or terminated in accordance with their applicable constitution;
 - Direct that any rights, privileges and benefits provided to that organisation by the WA INC. or a Member State be suspended for a specified period and/or terminated;
 - Direct that the WA INC. and Member States cease to sanction events held by or under the auspices of that organisation; and/or
 - Any other such penalty as the Hearings Tribunal considers appropriate.

2. **For breaches committed by individual persons:** If the Hearings Tribunal considers that an individual to whom this Policy applies has breached this Policy, it may impose any one or more of the following penalties on such person:
 - Direct that the offender attend counselling to address their conduct;
 - Recommend that the WA INC., the relevant Member State or the relevant Affiliated Club terminate the appointment of the role which the offender holds with such organisation;
 - Impose a monetary fine for an amount determined by the Hearings Tribunal;
 - Impose a warning;
 - Withdraw any awards, placing, records won in any competitions, activities or events held or sanctioned by the WA INC., a Member State or a State Affiliate;
 - Direct the offender to repay all or part of any financial assistance (excluding any fee for service, wages or expenses) given to them by any federal or state funding agency, the WA INC., a Member State, a State Affiliate or any other organisation which has provided funding; and/or
 - Any other such penalty as the Hearings Tribunal considers appropriate.

3. If an organisation or individual commits a second or subsequent breach under this Policy, then the Hearings Tribunal shall have regard to the previous breach, the penalty imposed and any other relevant factors, in imposing a penalty for the second or subsequent breach.
4. If the penalty imposed by the Hearings Tribunal affects other organisations required to comply with this Policy, the Hearings Convenor of the organisation from which the Hearings Tribunal is established shall as soon as possible notify the relevant organisations of the penalty.
5. Every organisation to which this Policy applies shall recognise and enforce any decision and penalty imposed by a Hearings Tribunal under this Policy.

When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by the organisation in the future may result in more serious form of discipline.

Factors to consider when imposing discipline

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

- Any difficulty that might arise in enforcing the penalty;
- Nature and seriousness of the behaviour or incidents;
- In a case where action is taken concurrently with or in lieu of a resolution of a formal complaint, the wishes of the complainant;
- If the individual concerned knew or should have known that the behaviour was a breach of the policy;
- Level of contrition of the respondent(s);
- The effect of the proposed disciplinary measures on the respondent(s) including any personal, professional or financial consequences;
- If there have been relevant prior warnings or disciplinary action; and/or
- If there are any mitigating circumstances such that the respondent(s) shouldn't be disciplined at all or not disciplined so seriously.

Any disciplinary measure imposed under this policy must:

- Observe any contractual and employment rules and requirements;
- Conform to the principles of natural justice;
- Be fair and reasonable;
- Be based on the evidence and information presented; and
- Be within the powers of the relevant person or body to impose the disciplinary measure.

PART D: CODES OF CONDUCT

Attachment D1: General Code Of Behaviour

As a person required to comply with this Policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the WA INC., a Member State or a State Affiliate and in any role you hold within the WA INC., a Member State or a State Affiliate:

1. Respect the rights dignity and worth of others.
2. Be fair, considerate and honest in all dealing with others.
3. Be professional in, and accept responsibility for your actions.
4. Make a commitment to providing quality service.
5. Demonstrate a high degree of individual responsibility especially when dealing with persons less than 18 years of age, as your words and actions are an example.
6. Be aware of, and maintain an uncompromising adherence to the WA INC. standards, rules, regulations and policies.
7. Operate within the rules of the WA INC. including national policies and guidelines, which govern THE WA INC., and the Member States.
8. Understand your responsibility if you breach, or are aware of any breaches of this Code of Behaviour.
9. Do not use your involvement with the WA INC., a Member State or a State Affiliate to promote your own beliefs, behaviours or practices where these are inconsistent with those of THE WA INC., the Member States or the State Affiliates.
10. Avoid unaccompanied and unobserved activities with persons less than 18 years of age, wherever possible.
11. Refrain from any form of abuse towards others.
12. Refrain from any form of harassment towards, or discrimination of, others.
13. Provide a safe environment for the conduct of the activity.
14. Show concern and caution towards others who may be sick or injured.
15. Be a positive role model.

Attachment D2: Administrator 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 by or under the auspices of the WA INC., a Member State or a State Affiliate and in any role as an administrator of the WA INC., a Member State or a State Affiliate:

1. Be fair, considerate and honest in all dealing with others.
2. Be professional in, and accept responsibility for your actions. Your language, presentation, manners and punctuality should reflect high standards.
3. Demonstrate a high degree of individual responsibility especially when dealing with persons less than 18 years of age, as your words and actions are an example.
4. Resolve conflicts fairly and promptly through established procedures.
5. Maintain strict impartiality.
6. Maintain a safe environment for you and others.
7. Be aware of your legal responsibilities.
8. Be a positive role model for others.

Attachment D3: Coach 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 the WA INC., a Member State or a State Affiliate and in your role as a coach of the WA INC., a Member State or a State Affiliate:

1. Treat all participants with respect at all times. Be honest and consistent with them. Honour all promises and commitments, both verbal and written.
2. Provide feedback to participants in a caring sensitive manner to their needs. Avoid overly negative feedback.
3. Recognise participants' rights to consult with other coaches and advisers. Cooperate fully with other specialists.
4. Treat all participants fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status and other conditions.
5. Encourage and facilitate participants' independence and responsibility for their own behaviour, performance, decisions and actions.
6. Involve the participants in decisions that affect them.
7. Determine, in consultation with participants and others, what information is confidential and respect that confidentiality.
8. Encourage a climate of mutual support among your participants.
9. Encourage participants to respect one another and to expect respect for their worth as individuals regardless of their level of play.
10. At all times use appropriate training methods that in the long term will benefit the participants and avoid those which could be harmful.
11. Ensure that the tasks/training set are suitable for age, experience, ability and physical and psychological conditions of the participants.
12. Be acutely aware of the power that you as a coach develop with your participants in the coaching relationship and avoid any sexual intimacy with participants that could develop as a result.
13. Avoid situations with your participants that could be construed as compromising.
14. Actively discourage the use of performance enhancing drugs, the use of alcohol and tobacco and illegal substance.
15. Respect the fact that your goal as a coach for the participant may not always be the same as that of the participant. Aim for excellence based upon realistic goals and due consideration for the participant's growth and development.
16. Recognise individual differences in participants and always think of the participant's long-term best interests.

17. Set challenges for each participant which are both achievable and motivating.
18. At all times act as a role model that promotes the positive aspects of sport and of wrestling by maintaining the highest standards of personal conduct and projecting a favourable image of the sport of wrestling and of coaching at all times.
19. Do not exploit any coaching relationship to further personal, political, or business interests at the expense of the best interest of your participants.
20. Encourage participants and coaches to develop and maintain integrity in their relationship with others.
21. Respect other coaches and always act in a manner characterised by courtesy and good faith.
22. When asked to coach participants, ensure that any previous coach-participant relationship has been ended by the participant-others in a professional manner.
23. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules.
24. Know and abide by the WA INC. rules, policies and standards, and encourage participants to do likewise. Accept both the letter and the spirit of the rules.
25. Be honest and ensure that qualifications are not misrepresented.
26. Be open to other people's opinion and willingness to continually learn and develop.

Attachment D4: 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 the WA INC., a Member State or a State Affiliate and in your role as participants of the WA INC., a Member State or a State Affiliate:

1. Respect the rights, dignity and worth of fellow participants, coaches, officials and spectators.
2. Refrain from conduct that could be regarded as sexual or other harassment towards fellow participants and coaches.
3. Respect the talent, potential and development of fellow team members and competitors.
4. Care and respect the equipment provided to you as part of your program.
5. Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
6. Conduct yourself in a professional manner relating to language, temper and punctuality.
7. Maintain high personal behaviour standards at all times.
8. Abide by the rules and respect the decision of the adjudicator.
9. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
10. Cooperate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.

Attachment D5: 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 the WA INC., a Member State or a State Affiliate and in your role as an official appointed by the WA INC., a Member State or a State Affiliate:

1. Place the safety and welfare of the participants/participants above all else.
2. Accept responsibility for all actions taken.
3. Be impartial.
4. Avoid any situation that may lead to a conflict of interest.
5. Be courteous, respectful and open to discussion and interaction.
6. Value the individual in sport.
7. Encourage inclusivity and access to all areas of officiating.

Attachment D6: Parent/Guardian Code Of Behaviour

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 the WA INC., a Member State or a State Affiliate and in your role as a parent/guardian of participants of the WA INC., a Member State or a State Affiliate:

1. Treat your child the same irrespective of them winning or losing.
2. Remember that your child participates in the sport of wrestling for their enjoyment not yours.
3. Try to have fun when you are around your children at competitions. Well-directed humour can be a great de-stressor.
4. Look relaxed, calm and positive on the sidelines.
5. Make friends with other parents at competitions.
6. Get involved in appropriate ways if your child or the coach behaves in unacceptable ways during competitions.
7. Let the coach do the coaching.
8. Understand that children will benefit from a break sometimes and that involvement in other sports is okay.
9. Be there when your child performs poorly. Be an understanding listener rather than a critic, judge and/or fixer.
10. Be prepared to give your child some space so that he/she can grow and develop as an independent person.
11. Let your child know that your love for them is not associated with their sporting performances.
12. Communicate with your child and ask them how they are really feeling about their sport and about competing in particular.
13. Occasionally let your child compete without you being there and hovering over them.
14. Emphasise the good things your child did in preparing for and during the competition.
15. Try to avoid:
 - Saying “we’re competing today”. Instead say, “You’re competing today”. Give your child credit for accepting the responsibility of performing.
 - Getting too pushy or believe that you are indispensable. Let the coach do the coaching.
 - Living through your child’s performances.

- Turning away when your child performs.
- Turning away when your child's behaviour is unsportsmanlike.
- Telling your child what he/she did wrong after a tough competition.
- Making enemies with your child's opponents or family during a competition.
- Making your child feel guilty by reminding them about all the time, money and sacrifices you are making for his or her sport.
- Thinking of your child's sporting performances as an investment for which you expect a return.
- Badgering, harassing or use sarcasm to motivate your child.
- Comparing your child's performances with those of other children.
- Forcing your child to go to training. If they are sick of training find out why and discuss it with them.

PART E: REPORTING DOCUMENTS/FORMS

To assist in consistency and accuracy in following procedure and reporting on the issues covered by the WA Inc. Policy, the following documents are to be used:

E1: Confidential Record of informal complaint – to be used by MPIOs or others who receive a complaint or allegation

E2: Confidential Record of Formal Complaint – to be used when the WA INC./Member State receives a formal complaint

E3: Confidential Record of Child Abuse Allegation – to be used by MPIOs or others who receive complaints/allegations of child abuse

E4: Record of Mediation – to be used by those who conduct mediation

E5: Record of Tribunal Decision

General principles to be followed when completing a report of a complaint:

- Treat all complaints seriously.
- Deal with complaints promptly, sensitively and confidentially.
- Maintain a calm attitude.
- Ask the complainant if they will consent to you taking notes.
- Write the description of the complaint /problem using the complainants own words (as much as is possible).
- Find out the nature of the relationship between the complainant and the person complained about (for example, coach/competitor, team members, etc) and if there is any relevant history.
- Take a note of the facts and do not pre-judge the situation.
- Ask the complainant whether they fear victimisation or other consequences.
- Find out what outcome the complainant wants and if they need any support.
- Ask the complainant how they want the complaint to be dealt with under the policy.
- Keep the complaint confidential and do not disclose it to another person without the complainant's consent except if disclosure is required by law (for example, a report to government authorities) or if disclosure is necessary to effectively deal with the complaint.

Attachment E1: Confidential Record Of Informal Complaint

MPIO Name		Date: / /
Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status in wrestling	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Location/event of alleged issue		
Facts as stated by complainant		
Nature of complaint (category/basis/grounds) Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Religion <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Pregnancy <input type="checkbox"/> Physical abuse <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Child Abuse <input type="checkbox"/> Other	
Feelings expressed by complainant (Completing this may help to separate emotional content from facts)		
What they want to happen to fix issue		

What information I provided	
What they are going to do now	

This record and any notes must be kept in a confidential place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to the National Operations Manager or in their absence their Nominee, of THE WA INC. or a Member State.

Attachment E2: Confidential Record Of Formal Complaint

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received: / /
Role/status in wrestling	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Name of person complained about	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status in wrestling	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (basis/grounds/category) 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"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Religion <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Pregnancy <input type="checkbox"/> Physical abuse <input type="checkbox"/> Disability <input type="checkbox"/> Victimization <input type="checkbox"/> Child Abuse <input type="checkbox"/> Other	
Methods (if any) of attempted informal resolution		
Support person (if any)		
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 in the WA INC./Member State: Signature: / /
Signed by:	Complainant: Respondent:

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

Attachment E3: Confidential Record Of Child Abuse Allegation

Before completing, ensure the procedures outlined in attachment C4 have been followed and advice has been sought from the relevant government agency and/or police.

Complainant's Name (if other than the child)		Date Formal Complaint Received: / /
Role/status in wrestling		
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 wrestling	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official 	
Witnesses (If more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	
Government agency contacted	Who: When: Advice provided:	
CEO contacted	Who: When:	

Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position in the WA INC./Member State: Signature: / /
Signed by	Complainant (if not a child)

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

Attachment E4: Record Of Mediation

Present at Mediation	
Date of mediation	
Venue of mediation	
Mediator	
Summary of mediation (Minutes attached)	
Outcome of mediation	
Follow-up to occur (if required)	
Completed by: (Signature)	
Signed by: Complainant (signature)	
Respondent (signature)	

Attachment E5: Record Of Tribunal Decision

Complainant's Name		Date Formal Complaint Received: / /
Role/status in wrestling	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Name of person complained about		
Role/status in wrestling	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (Basis/grounds/category)	<input type="checkbox"/> Harassment or <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Sexuality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Pregnancy <input type="checkbox"/> Disability <input type="checkbox"/> Child Abuse Other	<input type="checkbox"/> Discrimination <input type="checkbox"/> Selection dispute <input type="checkbox"/> Personality clash <input type="checkbox"/> Bullying <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Physical abuse <input type="checkbox"/> Victimization
Methods (if any) of attempted informal resolution		
Support person (if any)		
Tribunal Members		
Tribunal Hearing Date and venue		
Tribunal Decision (Attach report)		

Action recommended and any follow up report required	
Decision Appealed Date of Appeal lodged	
Appeal Hearing Date	
Appeal Decision (attach report)	
Action Recommended	
Completed by	Name: Position in the WA INC.: Signature: / /
Signed by:	Complainant Respondent