
	Pétanque Federation Australia Affiliated With the F.I.P.J.P	Policy No:	2.2.0.0		Member Protection Policy		
		Approved:	Draft	Version:	1.0	Review Due:	Draft

Member Protection Policy

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Preface


The Board of Directors of Pétanque Federation Australia have a strong commitment to ensuring that all administrators, coaches, umpires, tournament officials, players, spectators, volunteers and parents within its member clubs and state leagues creating a safe, fair and inclusive sporting environment.

Pétanque Federation Australia commits its efforts to:

- prevent all forms of harassment, discrimination and abuse and to promote positive behaviour and values.
- ensure that inappropriate or unlawful behaviour will not be tolerated by the organisation.
- this policy sets out codes of behaviour with which everyone associated with the organisation is expected to abide.
- that disciplinary action will be taken against individuals if there is a breach of the policy.


The Board's commitment is to ensure that members and their players are able to enjoy a safe, fair and inclusive sporting environment while participating in the sport of pétanque in Australia.

Joe Corcoran
 President
 Pétanque Federation Australia
 20th April 2016

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Review History

Version	Date reviewed	Date Endorsed	Content Reviewed/Purpose
One	Created May 2014	May 2014	Initial approved document released
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Three			

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Part A: National Member Protection Policy

1. Purpose of this policy

This National Member Protection Policy (“policy”) aims to assist Pétanque Federation Australia to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It sets out our commitment to ensure that every person involved in our sport is treated with respect and dignity and protected from discrimination, harassment and abuse. It also ensures that everyone involved in our sport is aware of their legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

The policy attachments describe the practical steps we will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, Pétanque Federation Australia will take disciplinary action against any person or organisation bound by this policy if they breach the MMP.

The MMP has been endorsed by the board of Pétanque Federation Australia and has been adopted as our commitment to providing a fair and equitable playing environment for all licensed players in member clubs. The policy starts on [insert date] and will operate until replaced.

The current policy and its attachments can be obtained from our website at: www.petanquefederationaustralia.com This policy is supported by Member Protection Policies adopted and implemented by our State Leagues and affiliated member clubs.

2. Who is bound by this policy


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

- 2.1 persons appointed or elected to PFA boards, committees and sub-committees
- 2.2 employees of Pétanque Federation Australia
- 2.3 members of the Pétanque Federation Australia Board of Directors
- 2.4 support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others
- 2.5 coaches and assistant coaches
- 2.6 licensed players
- 2.7 umpires and other tournament officials
- 2.8 members, including life members of Pétanque Federation Australia
- 2.9 licensed players, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by Pétanque Federation Australia

This policy will continue to apply to a person even after he or she has stopped their association or employment with Pétanque Federation Australia, if disciplinary action against that person has begun.

This policy also applies to:

- 2.10 member clubs and associations
- 2.11 State Leagues
- 2.12 any other associations including PFA Umpires Association.

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3. Organisational responsibilities

Pétanque Federation Australia must:

- 3.1 adopt, implement and comply with this policy
- 3.2 ensure that the Constitution, By-laws or other rules and policies include the necessary clauses for this policy to be enforceable
- 3.3 publish, distribute and promote this policy and the consequences of any breaches
- 3.4 promote and model appropriate standards of behaviour at all times
- 3.5 deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner
- 3.6 apply this policy consistently
- 3.7 recognise and enforce any penalty imposed under this policy
- 3.8 ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
- 3.9 use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour (e.g. Member Protection Information Officers)
- 3.10 monitor and review this policy at least annually.

4. Individual Responsibilities

Individuals bound by this policy are responsible for:


- 4.1 making themselves aware of the policy
- 4.2 comply withal relevant provisions of the MMP, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy
- 4.3 consenting to our screening requirements and any state/territory Working with Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise as required by law
- 4.4 placing the safety and welfare of children above other considerations
- 4.5 be accountable for their behavior
- 4.6 comply with any decisions and/or disciplinary measures imposed under the MMP.

5. Position Statements

5.1 Child protection

Pétanque Federation Australia is committed to the safety and well-being of all children and young people who participate in our sport or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained.

We acknowledge the valuable contribution made by our coaches, umpires, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

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5.1.1 Identify and analyse risk of harm

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

5.1.2 Develop codes of behaviour

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

These codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour. (Refer to the attachments in Part II of this policy.)

5.1.3 Choose suitable employees and volunteers

We will take all reasonable steps to ensure that our organisation engages suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This will include using a range of screening measures.

We will ensure that Working with Children Checks are conducted for all employees and volunteers who work with children, where an assessment is required by law. If a criminal history report is obtained as part of their screening process, we will handle this information confidentially and in accordance with the relevant legal requirements. (Refer to the attachments in Part III of this policy.)

5.1.4 Support, train, supervise and enhance performance

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


5.1.5 Empower and promote the participation of children

We will encourage children and young people to be involved in developing and maintaining a child-safe environment for our sport.

5.1.6 Report and respond appropriately to suspected abuse and neglect

We will ensure that all our employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable grounds that a child has been, or is being, abused or neglected. (Refer to the attachments in Part V of this policy.)

Further, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child, or is in breach of this policy, he or she may make an internal complaint. (Refer to the attachments in Part IV of this policy.)

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5.2 Taking images of children

Images of children can be used inappropriately or illegally. Pétanque Federation Australia requires that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own. They should also make sure the parent/guardian understands how the image will be used.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets.

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

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

5.3 Anti-discrimination and harassment

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

We recognise that people cannot participate, enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

We prohibit all forms of harassment, discrimination and bullying based on the personal characteristics listed in the "Definitions" set out in our Dictionary of Terms [see Clause 10]. In most circumstances, this behaviour is against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, they may make an internal complaint. In some circumstances, they may also be able to make a complaint to an external organisation. (Refer to the attachments in Part IV of this policy.)

5.3.1 Discrimination


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

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

Discrimination can be either direct or indirect.

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

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

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5.3.2 Harassment

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

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

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

5.3.3 Prohibition against discrimination and harassment

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

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

5.4 Intimate relationships


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

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

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

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

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

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

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

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

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

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

5.5 Pregnancy


Pétanque Federation Australia is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our sport. We will not tolerate any discrimination or harassment against pregnant women.

Pétanque Federation Australia 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 well-being, and that of their unborn children, are of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with Pétanque Federation Australia.

We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman feels she has been harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint. (Refer to the attachments in Part IV of this policy.)

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5.6 Gender identity

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

5.6.1 Gender identity discrimination and harassment

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

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

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

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

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


5.6.2 Participation in sport

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

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

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

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

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5.6.3. Intersex status

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

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

5.7 Responsible Service and Consumption of Alcohol

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

In general, our policy is that:

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

5.8 Smoke-free Environment

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


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

5.9 Bullying

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

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

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

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

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

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

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

5.10 Social Networking Websites


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

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

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

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

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

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6. Complaints Procedures

6.1 Handling Complaints

Pétanque Federation Australia aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of procedural fairness.

Any person (a complainant) may report a complaint about a person, people or organisation bound by this policy (respondent) if they feel they have been harassed, bullied or discriminated against or there has been a breach of this policy.

In the first instance, complaints should be reported to the Secretary, PFA. If a complaint relates to behaviour or an incident that occurred at the:

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

Only matters that relate to, or which occurred at, the national level, as well as serious cases referred from the state and club level, should be dealt with by the national body.

A complaint may be handled informally or formally. The complainant will usually indicate his or her preferred option unless the Member Protection Information Officer or Complaints Manager considers that the complaint falls outside this policy and should be handled another way. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our procedures for handling and resolving complaints are outlined in PFA-Pro 2.2.5.0 Complaints Handling Procedure.


Individuals and organisations may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

6.2 Improper complaints and victimisation

Pétanque Federation Australia aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against the person making the complaint.

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

If at any point in the complaint handling process the Member Protection Information Officer or Secretary, PFA considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or intended to cause distress to the respondent, the matter may be referred to the PFA Board of Directors for review and appropriate action, including possible disciplinary action against the complainant.

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6.3 Mediation

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

Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the Secretary, PFA or the Member Protection Information Officer will, in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to negotiate on behalf of the complainant and/or the respondent.

More information on the mediation process is outlined in PFA-Pro 2.2.5.3 Mediation Procedure.

6.4 Tribunals

A Tribunal may be convened to hear a formal complaint:

- referred to it by the PFA Secretary;
- referred to it or escalated by a state league,
- because of the serious nature of the complaint,
- because it was unable to be resolved at the state level, or
- because the policy of the state association directs it to be; for an alleged breach of this policy.

Our Tribunal procedure is outlined in Attachment [D4].


A respondent may only lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in PFA-Pro 2.2.9.0 Appeals Procedure.

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

7. What is a breach of this policy?

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

- 7.1 breaching the codes of behaviour (see Part II of this policy)
- 7.2 bringing the sport of pétanque and/or Pétanque Federation Australia into disrepute, or acting in a manner likely to bring the sport of pétanque and/or Pétanque Federation Australia into disrepute
- 7.3 failing to follow Pétanque Federation Australia policies (including this policy) and our procedures for the protection, safety and well-being of children
- 7.4 discriminating against, harassing or bullying (including cyber-bullying) any person
- 7.5 victimising another person for making or supporting a complaint
- 7.6 engaging in a sexually inappropriate relationship with a person that he or she supervises, or has influence, authority or power over
- 7.7 verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport

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- 7.8 disclosing to any unauthorised person or organisation any Pétanque Federation Australia information that is of a private, confidential or privileged nature
- 7.9 making a complaint that they know to be untrue, vexatious, malicious or improper
- 7.10 failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy
- 7.11 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

8. Disciplinary measures

Pétanque Federation Australia may impose disciplinary measures on an individual or organisation for a breach of this policy.


Any disciplinary measure imposed will be:

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

8.1 Individual

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

- 8.1.1 A direction that the individual make a verbal and/or written apology;
- 8.1.2 A written warning;
- 8.1.3 A direction that the individual attend counseling to address their behaviour;
- 8.1.4 A withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by Pétanque Federation Australia;
- 8.1.5 A demotion or regarding of the individual to lower level or grade;
- 8.1.6 A suspension of the individual's players license or participation or engagement in a role, activity or competition;
- 8.1.7 Termination of the individual's membership, appointment or license;
- 8.1.8 A recommendation that Pétanque Federation Australia terminate the individual's license, membership, appointment or engagement;
- 8.1.9 In the case of a coach, umpire, administrator or tournament official, a direction that the relevant organisation de-register the accreditation of the coach, umpire, administrator or tournament official for a period of time or permanently;
- 8.1.10 In the case of a player, a direction that the PFA Board remove the player from any representational roles or teams for a period of time or permanently;
- 8.1.11 A fine;
- 8.1.12 Any other form of discipline that the PFA Board considers appropriate.

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8.2 Organisation

If a finding is made that a member club or state league has breached its own or this National Member Protection Policy, one or more of the following forms of discipline may be imposed by the PFA Board:

- 8.2.1 A written warning;
- 8.2.2 A fine;
- 8.2.3 A direction that any rights, privileges and benefits provided to that member club or state league by PFA be suspended for a specified period;
- 8.2.4 A direction that any funding granted or given to it by the Pétanque Federation Australia cease from a specified date; A direction that the Pétanque Federation Australia cease to sanction events held by or under the auspices of that member club or state league;
- 8.2.5 A recommendation to Pétanque Federation Australia that its membership of Pétanque Federation Australia be suspended or terminated in accordance with the relevant constitution or rules;
- 8.2.6 Any other form of discipline that Pétanque Federation Australia considers reasonable and appropriate.

8.3 Factors to consider

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

- the nature and seriousness of the breach
- if the person knew, or should have known, that the behaviour was a breach of the policy
- the person's level of contrition
- the effect of the proposed disciplinary measures on the person, including any personal, professional or financial consequences
- if there have been any relevant prior warnings or disciplinary action
- the ability to enforce disciplinary measures if the person is a parent or spectator (even if they are bound by the policy)
- any other mitigating circumstances.

9. Dictionary of terms

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. Further detail or definitions that are specific to different states and territories can be sourced from the relevant child protection authorities or equal opportunity and anti-discrimination commissions.


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

Affiliated club means a club of Pétanque Federation Australia affiliated through its membership.

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

Child abuse involves conduct that puts a child at risk of harm and may include:

- **physical abuse**, by hurting a child or a child's development (e.g. hitting, shaking or

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other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity)

- **sexual abuse** by adults or other children, where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography, including child pornography, or inappropriate touching or conversations)
- **emotional abuse**, by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name-calling, ignoring or placing unrealistic expectations on a child)
- **neglect** (e.g. failing to give a child food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

Complaint means a complaint made under Clause 7 of this policy

Complainant means the person making a complaint.

Complaint handler/manager means the person appointed under this policy to investigate a complaint.

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

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


- age
- disability
- family/carer responsibilities
- gender identity/transgender status
- homosexuality and sexual orientation
- irrelevant medical record
- irrelevant criminal record
- political belief/activity
- pregnancy and breastfeeding
- race
- religious belief/activity
- sex or gender
- social origin;
- trade union membership/activity.

Some states and territories include additional protected characteristics, such as physical features or association with a person with one or more of the characteristics listed above.

Examples of discrimination are available on the Play by the Rules website: www.playbytherules.net.au/legal-stuff/discrimination

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

- holding a competitive sporting activity for boys and girls only who are under the age of 12, or of any age where strength, stamina or physique is relevant

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- not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular activity.

Harassment is any type of behaviour that the other person does not want and is likely to make the person feel intimidated, insulted or humiliated. Unlawful harassment can target a person because of their race, sex, pregnancy, marital status, sexual orientation or some other personal characteristic protected by law (see the list under "Discrimination").

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

Mediator means an impartial person appointed to help those people involved in a complaint to talk through the issues and resolve the matter on mutually agreeable terms.

Member means a member club or state league

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

Natural justice (or procedural fairness) requires that:

- both the complainant and the respondent must know the full details of what is being said against them and have the opportunity to respond
- all relevant submissions must be considered
- no person may judge their own case
- the decision-maker(s) must be unbiased, fair and just
- the penalties imposed must be fair.

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

Policy, policy and this policy means this National Member Protection Policy.

Respondent means the person whose behaviour is the subject of the complaint.


Role-specific codes of conduct (or behaviour) means standards of conduct required of people holding certain roles in our organisation (e.g. coaches, officials, umpires).

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which could reasonably be anticipated to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, displays 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. Because of differences under state and territory laws, this can include but is not limited to:

- rape
- indecent assault
- sexual assault
- assault with intent to have sexual intercourse


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- incest
- sexual penetration of child under the age of 16
- indecent act with child under the age of 16
- sexual relationship with child under the age of 16
- sexual offences against people with impaired mental functioning
- abduction and detention
- procuring sexual penetration by threats or fraud
- procuring sexual penetration of child under the age of 16
- bestiality
- soliciting acts of sexual penetration or indecent acts
- promoting or engaging in acts of child prostitution
- obtaining benefits from child prostitution
- possession of child pornography
- publishing child pornography and indecent articles

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

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

Vilification involves a person or an organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of people having any of the characteristics listed under the definition of "Discrimination".

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Part B: Codes Of Behaviour

We seek to provide a safe, fair and inclusive environment for everyone involved in our organisation and in our sport.


To achieve this, we require certain standards of behaviour of players/athletes, coaches, officials, administrators, parents/guardians (of child participants) and spectators.

Our codes of behaviour are underpinned by the following core values.

- To act within the rules and spirit of our sport.
- To display respect and courtesy towards everyone involved in our sport and prevent discrimination and harassment.
- To prioritise the safety and well-being of children and young people involved in our sport.
- To encourage and support opportunities for participation in all aspects of our sport.

Attachments

- Attachment B1: PFA-Frm 2.2.1.1 General Code of Behaviour
- Attachment B2: PFA-Frm 2.2.1.2 Coaches Code of Behaviour
- Attachment B3: PFA-Frm 2.2.1.3 Officials' Code of Behaviour
- Attachment B4: PFA-Frm 2.2.1.4 Players' Code of Behaviour
- Attachment B5: PFA-Frm 2.2.1.5 Administrators' Code of Behaviour
- Attachment B6: PFA-Frm 2.2.1.6 Media Code of Behaviour
- Attachment B7: PFA-Frm 2.2.1.7 Board Member Code of Behaviour

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Part C: Employment Screening/Working With Children Check Requirements

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

Employment screening and Working with Children Checks can involve criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children and young people.

Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory and South Australia.


Pétanque Federation Australia, including our state leagues and clubs, will meet the requirements of the relevant state or territory Working with Children Check laws.

Employment screening requirements will also be followed in the Australian Capital Territory and Tasmania.

Individuals travelling with children and young people to another state or territory in a work-related capacity must comply with the screening requirements of that particular state or territory.

Attachments

- Attachment C1: PFA-Frm 2.2.3.1 Screening requirements (for the ACT and Tasmania)
- Attachment C2: PFA-Frm 2.2.3.2 Member Protection Declaration
- Attachment C3: PFA-Frm 2.2.3.3 Working with Children Check Requirements

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Part D: Complaint Handling Procedures

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


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

We also provide an appeals process for those matters where it is required.

We will maintain confidentiality as far as possible and ensure that no one is victimised for making, supporting or providing information about a complaint.

Attachments

- Attachment D1: PFA-Pro 2.2.5.0 Complaints Procedure
- Attachment D2: PFA-Pro 2.2.6.0 Mediation Procedure
- Attachment D3: PFA-Pro 2.2.7.0 Investigation Procedure
- Attachment D4: PFA-Pro 2.2.8.0 Tribunal Procedure
- Attachment D5: PFA-Pro 2.2.9.0 Appeals Procedure

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Part E: Reporting Requirements And Documents/Forms

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

This information, and any additional records and notes, will be treated confidentially and stored in a secure place.

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

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

Attachments

- Attachment E1: PFA-Frm 2.2.4.1 Confidential record of informal complaint
- Attachment E2: PFA-Frm 2.2.4.2 Confidential record of formal complaint
- Attachment E3: PFA-Pro 2.2.4.0 Handling an Allegation of Child Abuse Procedure
- Attachment E4: PFA-Frm 2.2.4.3 Confidential record of child abuse allegation