



**MEMBER PROTECTION POLICY
OF
SYNCHRONIZED SWIMMING AUSTRALIA
INC**

**Date Adopted by the
SYNCHRONIZED SWIMMING AUSTRALIA INC Board
13 May 2013 (latest update August 2018)**

PREFACE

The primary goal for Synchronized Swimming Australia Inc (SSAI) is to develop the Sport of Artistic Swimming throughout Australia and internationally for the safety and enjoyment of its participating members.

SSAI is committed to providing a sport and work environment free of harassment and discrimination. We aim to ensure the core values, good reputation and positive behaviours and attitudes of SSAI are maintained. We believe that anyone who works for us, and everyone with whom we deal, has the right to be treated with respect and dignity. SSAI will not tolerate any type of behaviour, which will bring the Sport into disrepute, and this policy is an essential part of SSAI's proactive and preventative approach to tackling inappropriate behaviour. We will therefore take all complaints seriously, and will ensure they are dealt with promptly, sensitively and with confidentiality.

SSAI is committed to ensure that everyone associated with the organisation complies with this policy.

Kerrie Hammett
President SSAI
13 May 2013

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SYNCHRONIZED SWIMMING AUSTRALIA INC (“SSAI”)

PART A – MEMBER PROTECTION POLICY

1. Purpose of this Policy

This Member Protection Policy (“policy”) aims to ensure the core values, good reputation and positive behaviours and attitudes of SSAI (“our”, “us” or “we”) 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. The policy also provides 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, SSAI will take disciplinary action against any person or organisation bound by this policy if they breach it. This policy has been endorsed by the board of the SSAI and has been incorporated into our By- Laws in accordance with clause 36(1) of the SSAI constitution. The policy has been in effect since 30 May 2013, and will operate until replaced. This policy and/or its attachments may be amended from time to time by a resolution of the Board in accordance with the constitution of SSAI. Copies of the policy and its attachments can be obtained from SSAI’s Secretary via email at secretary@synchro.org.au or the SSAI website at www.synchro.org.au

2. Who this Policy applies to

This policy applies to the following organisations and individuals:

- SSAI
- Member Associations
- clubs
- persons appointed or sitting on boards, committees and sub-committees of SSAI, Member Associations and clubs
- employees, officials and volunteers appointed or elected by SSAI, Member Associations or clubs
- support personnel (i.e. managers, physiotherapists, psychologists, masseurs, sports trainers)
- all coaches who
 - are appointed and/or employed by SSAI, Member Associations or a club (whether paid or unpaid) or
 - have an agreement (whether or not in writing) with SSAI, Member Associations or a club
- artistic swimmers who enter or participate in any activity or event (including camps and training sessions) which are held or sanctioned by SSAI, Member Associations or a club
- any person or organisation, who or which is a member of or affiliated to, SSAI, a Member Association or a club
- any other person or organisation who, or which agrees in writing or otherwise to be bound by this policy
- parents, guardians, spectators and sponsors to the full extent that is possible.

This policy will continue to apply to a person even after they have stopped their association or employment with SSAI if disciplinary action relating to an allegation of child abuse against that person has commenced.

3. Code of Conduct

SSAI requires every individual and organisation bound by this policy to:

- a. be ethical, fair and honest in all their dealings with other people and SSAI;
- 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 SSAI's constitution, 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 SSAI Codes of Conduct. Copies of the Codes of Conduct can be found on the SSAI website at synchro.org.au

4. Organisational Responsibilities

4.1 As the National Sporting Organisation, SSAI has specific responsibilities

SSAI will:

- a. adopt, implement and comply with this policy;
- b. ensure that this policy is enforceable;
- c. publish, distribute and otherwise promote this policy and the consequences of any breaches of this policy;
- d. promote appropriate standards of conduct at all times;
- e. promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- f. apply this policy consistently without fear or favour;
- g. recognise and enforce any penalty imposed under this policy;
- h. ensure that a copy of this policy is available or accessible to the persons to whom this policy applies;
- i. appoint or have access to appropriately trained people to receive and handle complaints and allegations and display the names and contact details in a way that is readily accessible; and
- j. monitor and review this policy every 12-18 months.

4.2 Member Associations and clubs also have specific responsibilities

Member Associations and 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.

5. 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. complying with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- c. consent to the screening requirements set out in this policy, and any state or territory Working with Children checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18, or where otherwise required by law;
- d. treating other people with respect;
- e. always place the safety and welfare of children above other considerations;
- f. be responsible and accountable for their behaviour; and
- g. co-operating in providing a discrimination, child abuse and harassment free sporting environment; and
- h. understanding the possible consequences of breaching this policy, and complying with any decisions and/or disciplinary measures imposed under this policy.

6. Policy Position Statements

6.1 Child Protection Policy

SSAI is committed to the safety and wellbeing of children and young people who participate in our Sport. We support the rights of the child and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

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

SSAI acknowledges that its staff and volunteers provide a valuable contribution to the positive experiences of its junior participants. SSAI 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:

- prohibiting any form of abuse against children
- providing opportunities for our juniors to contribute to and provide feedback on our program development
- carefully selecting and screening people whose role requires them to have direct and unsupervised contact with children (Screening procedures are outlined in clause 7 of this policy)
- ensuring our codes of conduct, particularly for roles associated with young

- people, are promoted, enforced and reviewed
- providing procedures for raising concerns or complaints (our complaints procedure is outlined in clause 10 of this policy), and
 - providing education and/or information to those involved in our sport on child abuse and child protection.

SSAI requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within its sport, to report it immediately to the police or relevant government agency and the Member Protection Information Officer (“MPIO”). Descriptions of the sorts of activity which may be abuse are in the Dictionary at clause 13.

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. SSAI’s procedures for handling allegations of child abuse are outlined in clause 9 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.

6.2 Anti - Discrimination and Harassment Policy

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

SSAI 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 sex, marital status, pregnancy, parental status, race, age, disability, sexuality, religion, political belief and/or industrial activity.

SSAI prohibits all forms of harassment and discrimination not only because it is against the law, but because it is extremely distressing, offensive, humiliating and/or threatening and creates an uncomfortable and unpleasant environment.

Descriptions of some of the types of behaviour which could be regarded as harassment or discrimination are provided in the Dictionary at clause 13.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to the procedure outlined in clause 17 of the SSAI Constitution. This will explain what to do about the behaviour and how SSAI will deal with the problem.

6.3 Sexual Relationships Policy

SSAI takes the position that sexual relationships between coaches and adult athletes that they coach should be avoided. SSAI takes the view that such relationships while not necessarily constituting unlawful harassment can have harmful effects on

the individual athlete involved, on other athletes and coaches, and on the sport's public image. Such relationships tend to be intentionally or unintentionally exploitative because there is usually a disparity between coaches and athletes in terms of authority, power, maturity, status and dependence. SSAI's policy position is similar to other organisations who disallow professionals such as teachers, doctors and counsellors to have sexual relationships with their clients or students.

Should a sexual relationship develop between an athlete and coach, SSAI will investigate whether any action against the coach is necessary. Factors that may be relevant to consider are the age and maturity of the athlete relative to the coach, the financial or emotional dependence of the athlete on the coach, and the likelihood of the relationship having any adverse impact on the athlete and/or other athletes. If it is determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. Action may include transfer, a request for resignation or dismissal from coaching duties.

If an athlete attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. The coach may wish to approach SSAI if they feel harassed.

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

6.4 Bullying

SSAI 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 group.

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

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

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

Bullying includes cyber-bullying which occurs 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 though

unwanted and inappropriate comments. SSAI will not tolerate abusive, discriminatory, intimidating or offensive statements being made online by any of its members. In some cases, bullying is a criminal offence punishable.

Frustration at a referee, judge, 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 clause 10 of this Policy).

6.5 Social networking websites

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

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

Social media postings, blogs, status updates and tweets:

- must not use offensive, provocative or hateful language
- must not be misleading, false or injure the reputation of another person
- should respect and maintain the privacy of others
- should promote the sport in a positive way.

7. Screening

SSAI will implement screening procedures for people who currently occupy or who apply for any work (paid or voluntary) that involves direct and unsupervised contact with people under the age of 18 years.

Screening under this policy is not a replacement for any other procedure required by law. If State or Territory legislation sets an equivalent or higher standard of screening, the requirement to screen people under the process outlined below need not be followed.

Under this policy SSAI, Member Associations and clubs are required to:

- a. identify positions (paid and voluntary) that involve working with people under the age of 18 years; and
- b. for each person identified within section 7 (a), obtain a copy of each persons “Working with Children Check” ensuring each person’s details are current and the check is within date. The copy of the Working with Children Check will be kept in a secure place.

If a Working with Children Check is not provided, or it reveals that a person

does not satisfactorily meet with the requirements to obtain a Working with Children Check (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, 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.
- in the case of someone applying for the position/role, not appoint them.

- c. Check a person's referees (verbal or written) and interview a person about their suitability for the role and their suitability for working with children for both paid and voluntary positions.

If the relevant organisation remains unsatisfied, or the person does not agree to a national police check to obtain the Working with Children Check after explaining why it is a requirement, then the relevant organisation will:

- in the case of an existing employee/volunteer, 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.
- in the case of a someone applying for the position/role, not appoint them.

- d. Decide whether to offer the person the position or retain the person in the position, taking into account the result of the police check and application for the Working with Children Check and any other information the organisation has available. Where it is not practical to complete the police check or obtain the Working with Children Check prior to employment commencing, the relevant organisation must still complete the check as soon as possible. The relevant organisation will advise the person that their ongoing employment is conditional upon the satisfactory outcome of the check.
- e. 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 resume's 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.

8. Member Protection Information Officers (MPIOs)

SSAI and Member Associations shall be responsible for appointing such number of MPIOs as they consider appropriate.

It is the role of a MPIO to:

- a. provide a point of contact for persons wishing to make a complaint under this policy
- b. inform complainants of the options and procedures for resolution of complaints under this policy
- c. refer complaints or allegations of breaches of this policy to the organisation which appointed him/her and
- d. carry out the functions assigned to MPIOs throughout this policy.

9. Child abuse procedures

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. The following is a basic outline of the key processes to follow. More information can be obtained from the relevant State or /Territory government agency.

- a. Any complaints, concerns or allegations of child abuse should be made or referred to a MPIO. The MPIO should obtain and clarify basic details (if possible) but should not elicit detailed information about the abuse.
- b. 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 is of a criminal nature, report the incident immediately to the police. If the allegation involves a child at risk of harm you may need to report to both the police and the relevant government agency.
- c. The MPIO should assess the risks and take interim action to ensure the child's/children's safety. Some options could 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 support needs of the person against whom the complaint is made should also be addressed.
- d. Any further investigation by SSAI into allegations of a more serious or criminal nature should only be carried out upon advice from the police and relevant government agency.
- e. For allegations of a less serious nature (e.g. verbal abuse) an independent person with appropriate expertise shall be appointed to make contact and meet with each of the people involved to obtain details of the allegation. Strict confidentiality, impartiality, fairness and due process must be maintained at all times.
- f. If disciplinary action is to be taken, follow the procedures outlined in clause 12 of this policy.

10. Complaints Procedures

10.1 Complaints

SSAI 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 any person or sporting organisation has breached this policy. A complaint should be reported to a MPIO.

A complaint may be reported informally or formally. 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.

10.2 Informal complaint resolution procedure

If a complainant makes an approach to SSAI, a Member Association, a club or a person within these organisations, it is desirable that the complainant also seeks the advice of a MPIO. The MPIO will:

- a. listen to the complainant in an empathetic, supportive manner
- b. inform the complainant about their possible options
- c. act as a support person for the complainant, including supporting them through any mediation process if the complainant wishes
- d. keep the matter confidential
- e. inform the relevant government authority, if required by law and
- f. consult by seeking advice from the relevant state or territory authority that administers the relevant law.

A complainant may seek to try and resolve the complaint by mediation in accordance with clause 10.5.

If the complaint is not resolved informally, the complainant may make a formal complaint under clause 10.3. Nothing in this policy prevents the complainant taking action under state or federal legislation. It is not necessary to provide a written complaint under this clause.

10.3 Formal complaint resolution procedure

The formal complaint resolution procedure of SSAI for complaints under this policy is outlined in clause 17 of the SSAI Constitution.

10.4 Vexatious Complaints & Victimisation

SSAI 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 organisation or committee Council or the Judicial Committee of Council for appropriate action which may include disciplinary action against the complainant.

SSAI 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.

10.5 Mediation

SSAI aims to resolve complaints as soon as possible with the least amount of disruption. 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 not 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 will, in consultation with the complainant, arrange for a mediator to mediate the complaint.

10.6 Tribunals

A hearing tribunal may be formed to hear a formal complaint that has been referred by MPIO, or an alleged breach of the policy. SSAI's tribunal hearing procedure is outlined in clause 17 of the SSAI Constitution.

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. SSAI's appeals process is outlined in clause 17(5) of the SSAI Constitution.

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.

11. What is a Breach of this policy

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

- a. done anything contrary to this policy
- b. breached the Code of Conduct
- c. brought SSAI into disrepute
- d. failed to follow SSAI policies and procedures for the protection, safety and welfare of children
- e. appointed or continued to appoint a person to a role that involves working with children and young people contrary to this policy
- f. discriminated against or harassed any person
- g. victimised another person for reporting a complaint
- h. engaged in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over
- i. disclosed to any unauthorised person or organisation any SSAI information that is of a private, confidential or privileged nature
- j. made a complaint they knew to be untrue, vexatious, malicious or improper
- k. failed to comply with a penalty imposed after a finding that the individual or

- organisation has breached this policy or
- I. failed to comply with a direction given to the individual or organisation during the discipline process.

12. 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. More information on the range of disciplinary measures and the factors that will be considered before imposing discipline is included in the SSAI Constitution.

13. Definitions

This section 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 section 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.

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.
- 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 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 10 of this policy.

Complainant means the person making a complaint.

Club means any club affiliated with a Member Association or SSAI.

Constitution means the constitution of SSAI

Discrimination means treating or proposing to treat a person less favourably than someone else in certain areas of public life on the basis of an attribute or personal characteristic they have.

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

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

- gender;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- national extraction or social origin;
- marital status, relationship status, identity of spouse or domestic partner;
- pregnancy, potential pregnancy, breastfeeding;
- family or carer responsibilities, status as a parent or carer;
- age;
- religion, religious beliefs or activities;
- political beliefs or activities;
- lawful sexual activity;
- sexual orientation and gender identity;
- profession, trade, occupation or calling;
- irrelevant criminal record, spent convictions;
- irrelevant medical record;
- member of association or organisation of employees or employers, industrial activity, trade union activity;
- physical features;
- disability, mental or physical impairment;
- defence service; and
- personal association with someone who has, or is assumed to have, any of these personal characteristics.

Legislation also prohibits:

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

Discrimination is not permitted in the areas of employment (including volunteer and unpaid employment); the provision of goods and services; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any player or other person to any competition; obtaining or retaining membership of an organisation (including the rights and privileges of membership).

Requesting, assisting, instructing, inducing or encouraging another person to engage

in discrimination may also be discriminatory conduct.

Discrimination may be direct or indirect.

Direct discrimination is treating, or proposing to treat someone less favourably, because of a characteristic such as race, sex, age etc, in the same or similar circumstances.

Indirect discrimination is imposing or intending to impose a requirement, condition or practice that is the same for everyone but which has an unequal or disproportionate effect on particular individuals or groups.

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 unwelcomed 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, sexuality or other characteristic (see characteristic list under discrimination).

Whether or not the behaviour is harassment is determined from the point of view of the person receiving the harassment. 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.

Junior means a person under the age of eighteen (18) years who is participating in an activity of SSAI.

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 Association means any Member Association recognised as such under the SSAI 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, Member 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 appointed under clause 8.1 of this policy 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
- 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.

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which 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.

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 any person between 13 and 18 years of age.