



## Flinders University Shao Lin (Muay Thai) Club



### MEMBER PROTECTION POLICY

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## MEMBER PROTECTION POLICY

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### 1. Introduction and Vision Statement

The aim of our club is to embrace and provide the highest standard of training principles and practices in accordance with the philosophy and traditions of Muay Thai.

Fundamentally, our core principles include but are not limited to instilling and developing:

- Respect
- Honour
- Discipline
- Fitness
- Confidence

### 2. Purpose of Our Policy

The main objective of our Member Protection Policy is to maintain responsible behaviour and ethical and informed decision-making by participants in this club. This policy outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from abuse. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in our club's activities.

### 3. Who Our Policy Applies To

Our policy applies to everyone involved in the club including committee members, administrators, coaches, officials (umpires/referees/judges), players, parents and spectators.

### 4. Extent of Our Policy

Our policy covers unfair decisions (e.g. team selection), breaches of our code of behaviour and inappropriate behaviour that occurs at practice, at meetings, in the club rooms, at social events organised or sanctioned by the club (or our district, regional, state or national body), on away and overnight trips and any behaviour that brings or is likely to bring our club or sport into disrepute. It also covers behaviour where there is suspicion of harm towards a child or young person.

### 5. Club Responsibilities

We will:

- make any necessary amendments to our Constitution, rules or other policies to enable this policy to be enforceable;
- implement and comply with our policy;
- promote our policy to everyone involved in our club;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy every 12-18 months; and
- seek advice from, and if necessary or appropriate, refer serious issues to our national body.

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse) and any other issues that our state or national body request to be referred to them (e.g. conflict of interest).

### 6. Individual Responsibilities

Everyone associated with our club must:

- comply with the standards of behaviour outlined in our policy;
- treat others with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour;

- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour.

## **7. Protection of Children**

### **7.1 Child Protection**

Child abuse involves conduct which puts children at risk of harm and takes a number of different forms including:

- Physical abuse – e.g. deliberately hurting (hitting, punching), providing alcohol or drugs, training that exceeds child's development or maturity
- Sexual abuse – e.g. sexual acts or threats, inappropriate touching or conversations
- Emotional abuse – e.g. ill-treating by threats, humiliation, intimidation
- Neglect – e.g. not providing child with basic necessities (food, drink, clothing), failing to protect a child from foreseeable risk of harm or injury.

Abuse, is usually against the law. We will take measures to protect children involved in our club from harm. We will do this by:

- Responding to all reports of abuse promptly, seriously and confidentially;
- Complying with state/territory child protection laws and working with children check requirements (see attachment 2);
- Carefully selecting and screening people over the age of 18 years who will have regular supervisory contact with children;
- Promoting and enforcing our codes of behaviour, particularly for roles associated with children;
- Making information about child protection available, particularly for roles associated with children; and
- Adopting practices that provide the maximum opportunity for a child safe environment.

Anyone who reasonably suspects that a child has been or is being abused must report their concerns to the police or relevant government agency. Advise the Club President and the Chief Instructor of the club that you have reported your concerns.

### **7.2 Supervision**

Members under the age of 12 must be supervised at all times by a parent/guardian. Our club will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 12 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

### **7.3 Transportation**

Parents/guardians are wholly responsible for transporting their children to and from club training.

### **7.4 Taking Images of Children**

Images of children cannot be used inappropriately or illegally. Our club requires that members, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way the image will be used. Our club also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If the club uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. We will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by pedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and/or club and ensure that the child is suitably clothed in a manner that promotes the sport and/or club, displays its successes, etc.

## **8. Anti-harassment, Discrimination and Bullying**

Our club opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

Our club takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the club (see Responding to Complaints).

## **9. Inclusive practices**

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

### **9.1 People with a disability**

Where possible we will include people with a disability in our club. We will make reasonable adaptations (e.g. modifications to equipment and rules) to enable participation.

### **9.2 People from diverse cultures**

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

### **9.3 Sexual & Gender Identity**

All people, regardless of their sexuality, are welcome at our club. We strive to provide a safe environment for participation and will take action over any homophobic behaviour.

### **9.4 Pregnancy**

Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport and/or club. We recommend pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport and/or club, and ensure that they make informed decisions about participation.

## **10. Responding to Complaints**

### **10.1 Complaints**

Our club takes all complaints about on and off-field behaviour seriously. Our club will handle complaints based on the principles of procedural fairness (natural justice), that is:

- all complaints will be taken seriously;
- both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story);
- irrelevant matters will not be taken into account;
- decisions will be unbiased and fair; and
- any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to our senior club members.

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

## 10.2 Complaint Handling Process

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

- listen carefully and ask questions to understand the nature and extent of the problem;
- ask what the complainant would like to happen;
- explain the different options available to help resolve the problem;
- take notes; and
- maintain confidentiality but not necessarily anonymity.

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

- supporting the person complaining to talk to the person being complained about
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gathering more information (e.g. from other people that may have seen the behaviour);
- seeking advice from our district, regional, state and/or national body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);
- referring the complaint to our National association; and/or
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to our National association and an inquiry is conducted, the club will:

- co-operate fully;
- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on our National association's recommendations.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

## 10.3 Disciplinary Measures

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

- Be applied consistent with any contractual and employment rules and requirements;
- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;
- Be determined by our Constitution, By Laws and the rules of the game.

Possible measures that may be taken include:

- verbal and/or written apology;
- counselling to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club;
- suspension or termination of membership, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently;
- a fine; or
- any other form of discipline that our club considers reasonable and appropriate.

## 10.4 Appeals

The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by our club to our National association. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

## **Attachment 1: CODES OF BEHAVIOUR**

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*This Code of Behaviour is intended to be the minimum standard for anyone involved in Flinders sport.*

- Operate within the rules and spirit of your sport, promoting fair play over winning at any cost.
- Encourage and support opportunities for people to learn appropriate behaviours and skills.
- Support opportunities for participation in all aspects of the sport.
- Treat each person as an individual.
- Display control and courtesy to all involved with the sport.
- Respect the rights and worth of every person regardless of their gender, ability, cultural background or religion.
- Respect the decisions of officials, coaches and administrators in the conduct of the sport.
- Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with people under the age of 18 years.
- Adopt appropriate and responsible behaviour in all interactions.
- Adopt responsible behaviour in relation to alcohol and other drugs.
- Act with integrity and objectivity, and accept responsibility for your decisions and actions.
- Ensure your decisions and actions contribute to a safe environment.
- Ensure your decisions and actions contribute to a harassment free environment.
- Do not tolerate harmful or abusive behaviours.

### **Athletes**

- Give your best at all times.
- Participate for your own enjoyment and benefit.

### **Coaches**

- Place the safety and welfare of the athletes above all else.
- Help each person (athlete, official etc) reach their potential - respect the talent, developmental stage and goals of each person and compliment and encourage with positive and supportive feedback.
- Any physical contact with a person should be appropriate to the situation and necessary for the person's skill development.
- Be honest and do not allow your qualifications to be misrepresented.

### **Officials**

- Place the safety and welfare of the athletes above all else.
- Be consistent and impartial when making decisions.
- Address unsporting behaviour and promote respect for all people.

### **Administrators**

- Act honestly, in good faith and in the best interests of the sport as a whole.
- Ensure that any information acquired or advantage gained from the position is not used improperly.
- Conduct your responsibilities with due care, competence and diligence.
- Do not allow prejudice, conflict of interest or bias to affect your objectivity.

### **Parents**

- Encourage children to participate and have fun.
- Focus on the child's effort and performance rather than winning or losing.
- Never ridicule or yell at a child for making a mistake or losing a competition.

## **Attachment 2.1: SCREENING REQUIREMENTS**

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

Our Club will:

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 2.2) from all people who are identified in the above step and keep it in a secure place.
3. Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied, we will not appoint them to the role/position.
4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
5. Ask the people identified in step 1 to sign a consent form for a national police check.
6. Possibly request (or ask the person to request) a national 'Part Exclusion' police check from our relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we will 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, we will not appoint them to the role/position.
7. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under our policy. If unsatisfied, we will not appoint them.
8. Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
10. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.



## Attachment 2.2: MEMBER PROTECTION DECLARATION

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Our club has a duty of care to all those associated with our club. As a requirement of our Member Protection Policy, we must enquire into the background of those who undertake any 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, other forms of harassment or acts of violence.
4. To my knowledge there is no other matter that the club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
5. I will notify the President of the club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the *State/Territory of* .....  
on ...../...../.....(date) Signature .....

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### Parent/Guardian Consent (in respect of a 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 2.3: WORKING WITH CHILDREN CHECK REQUIREMENTS**

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*The following information was updated in April 2009. It is subject to change at any time.*

### **SOUTH AUSTRALIA**

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](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 3: DUTY STATEMENTS**

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#### **The Executive**

The Executive comprises of The President, Secretary, Treasurer, 3 Ordinary Committee members and all Trainers and Instructors.

The Executive bears overall responsibility of the club's operation, including (but not limited to):

- Handling of Complaints
- Financial Management
- Asset Management
- Safety of all Members and Students
- Club Representation
- Disciplinary Action
- Club Functions

#### **Master Trainer**

The Master Trainer bears overall responsibility of the club's training, including (but not limited to):

- Instructor Selection
- Fighter Selection
- Student Selection
- Disciplinary Action (Training)
- Training Regime

The Master Trainer may, at his discretion, delegate a responsibility to any chosen member of the club. The Master Trainer is responsible for ensuring the clubs philosophy is maintained above all.

#### **Instructor(s)**

Instructor(s) are directly responsible to the Master Trainer for the selection of all training assistants, and the development of training programs. The Instructor(s) will, in league with the Master Trainer ensure at all times that students conform to the clubs vision statement and philosophy outlined earlier (page 3) including all components of this Member Protection Policy.

The Instructor(s) will be responsible for maintaining the club ethos at all times, and fostering discipline and respect amongst all students and members.

The Instructor(s) will also be charged with maintaining a safe training environment for all members during club training times and will report all issues, concerns or complaints to the Master Trainer.

Under the direction of the Master Trainer, the Head Instructor may or may not assume additional responsibilities delegated to him/her accordingly.

#### **Assistant Instructor(s)**

The Assistant Instructor(s) is/are responsible to the Instructor and ultimately the Master Trainer to compliment the training program of the current session. They will provide, where necessary, support to all students requiring assistance.

The Assistant Instructor will thus ensure that training instructions are carried out effectively and safely. The Assistant Instructor(s) will subsequently enforce, in part, the club's vision and philosophy.

#### **Treasurer**

The Treasurer is directly accountable to the Executive for all issues regarding the clubs finances and for the collection of any moneys at the end of each training session.



<p>Description of alleged issue</p>	
<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<p> <input type="checkbox"/> Harassment or    <input type="checkbox"/> Discrimination  <input type="checkbox"/> Sexual/sexist    <input type="checkbox"/> Selection dispute    <input type="checkbox"/> Coaching methods  <input type="checkbox"/> Sexuality    <input type="checkbox"/> Personality clash    <input type="checkbox"/> Verbal abuse  <input type="checkbox"/> Race    <input type="checkbox"/> Bullying    <input type="checkbox"/> Physical abuse  <input type="checkbox"/> Religion    <input type="checkbox"/> Disability    <input type="checkbox"/> Victimisation  <input type="checkbox"/> Pregnancy    <input type="checkbox"/> Child Abuse    <input type="checkbox"/> Unfair decision  <input type="checkbox"/> Other .....         </p>
<p>What they want to happen to fix issue</p>	
<p>Information provided to them</p>	
<p>Resolution and/or action taken</p>	

Follow-up action	
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