

Member Protection Policy

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SCGC Management System

Prepared for SCGC Members



Southern Canberra Gymnastic Club Incorporated
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Approved by the Club Committee

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President

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Date

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1 Introduction

1.1 Purpose

The purpose of this document is to detail the Club's Member Protection Policy.

1.2 Scope

The document addresses all aspects of the Club's member protection obligations and is consistent with and based on, the equivalent policies of the GACT and GA.

2 Policy statement

The Southern Canberra Gymnastic Club Inc (the Club) is committed to providing a sport and work environment free of discrimination, harassment (sexual or otherwise) and physical abuse or violence, where individuals are treated with respect and dignity. The Club will not tolerate discriminatory or harassment behaviour under any circumstances and will take disciplinary action against anyone who breaches this Policy.

The Club is committed to ensuring that the safety, welfare and wellbeing of children are maintained at all times during their participation in activities run by the Club.

Accordingly, any person involved in the instruction, management or coaching of any member under the age of 18 years may be asked to undergo screening procedures including police and other probity checks.

3 Policy coverage

Discrimination and all forms of harassment are unlawful under federal, state and territory law. People engaging in such conduct can have legal action taken against them under these laws. In some cases, legal action can also be taken against the organisation for which they work or represent. For this reason, the Club has a legal responsibility to ensure that discrimination or harassment does not occur in the course of any of the Club's activities.

The law is always the minimum standard for behaviour within the Club and therefore any criminal offence will be reported to the appropriate authorities

3.1 Discrimination

It is unlawful to treat anyone unfairly on the basis of various attributes or personal characteristics in key areas of public life.

A Member (*refer to paragraph 7*) must not treat a person less favourably than another person on the basis of an attribute (such as race, sex, age, marital status, sexuality, pregnancy or intellectual or physical impairment) than someone else without that attribute in the same or similar circumstances.

Indirect discrimination is also unlawful. This means that a Member cannot impose a requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect or result on particular groups. Unless this type of requirement is reasonable in all the circumstance it is likely to be indirect discrimination, even if there was never any intention to discriminate.

If in any doubt, especially when determining which children might be offered specific training programs, coaches should discuss the situation with their program manager or other senior coaches. In the event a child is not being offered a higher level of training, the matter must also be fully and openly discussed with the child and the parents so that the circumstances surrounding the decision and what the child needs to do to remedy the situation are known and explained to all involved.

3.2 Harassment

Harassment can take many forms but can generally be defined as unwelcome verbal or written comments, conduct, or gestures directed toward an individual or group of individuals that the harasser knows, or should reasonably be expected to know, is insulting, intimidating, humiliating, malicious, degrading or offensive.

Sexual harassment is behaviour that has a sexual element that is unwelcome and could reasonably be expected, in the circumstances, in which it occurs, to offend, humiliate or intimidate the person or people at whom it is directed.

A Member must not engage in any form of harassment, including:

- written, verbal or physical abuse or threats (coaches – take note and use encouragement rather than abuse when coaching);
- unwelcome physical contact;
- the display of offensive materials;
- promises or threats in return for sexual favours;
- unwelcome sexual comments, jokes or propositions;
- homophobic comments or behaviours; or
- jokes or comments directed at a person's body, looks, age, race, disability, sexuality, marital status or pregnancy.

Members are expected and encouraged to report any form of harassment that they either experience or witness in the gym to a senior coach or a Committee member.

The Club recognises that often even innocent things can be misconstrued and therefore has a policy that avoids having coaches alone in the gym with groups of children be they same or different sexes as the coach.

3.3 Intimate relations

The Club takes the view that intimate sexual relationships between coaches and athletes, 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.

Because there is always a risk that the relative power of the coach has been a factor in the development of such relationships, the Club takes the position that such relationships should be avoided by coaches working at all levels. Within the Club, the vast majority of athletes are minors and as such any form of sexual advances by any coach towards any minor will not be tolerated and will be immediately reported to the child's parents and the relevant authorities.

Should a sexual relationship develop between an athlete and a coach, the Club will investigate whether any action against the coach is necessary. If the Club determines that the sexual relationship is inappropriate, action may be taken to terminate the coaching relationship with the athlete. Action may include transfer of the coach or, if this is not feasible, a request for resignation or dismissal from employment or coaching duties.

In the event that 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 law is always the minimum standard for behaviour within the Club and therefore sex with a minor, of either the same or the opposite sex, is a criminal offence and will be reported to the appropriate authorities.

3.4 Victimisation

A Member must not subject any person to victimisation.

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 his or her right to make a complaint or support another person in making a complaint against another person or for any other reason.

3.5 Child/coach protection

In every instance, the Club will ensure that opposite sex coaches are not assigned to a group of children unless a coach or manager of the other sex is also present in the gym or at the event/activity.

Members must not employ or engage a person (whether paid or unpaid) to coach or otherwise supervise a child under the age of 18 years without first:

- a. requiring that person to disclose whether or not he or she has been convicted of a serious sex offence; and
- b. conducting a police or other appropriate probity check on that person.

A Member must notify the appropriate authorities (such as the Commission for Children and Young People) of:

- c. any applicants for employment that the Member rejected as a result of risks identified through screening processes; and
- d. the name and other identifying details of any person against whom relevant disciplinary proceedings have been completed by the Member in relation to child abuse (sexual or otherwise) irrespective of the findings.

3.6 Abuse and Physical Violence

While the sport of gymnastics sees very rare instances of abuse or violence, the Club is committed to ensuring that any such instances are recognised as they begin to emerge and are treated quickly and sensibly. Abuse, oral or otherwise, from gymnasts towards coaches and officials will not be tolerated and any such actions will be treated in accordance with the Code of Conduct Policy. Similarly, abuse from coaches will also not be tolerated and will be treated in the same way as will such actions by parents and visitors. In extreme cases where the abuse continues or escalates, the person involved will be asked to leave the gym immediately and if necessary the police will be called.

Although being extremely unlikely, in the event physical violence occurs or is likely to occur, the police should immediately be called and the senior coach/official or Centre Manager is to take whatever action is considered safe to protect the person being attacked without endangering further people. All efforts should be made to talk to and reason with the person carrying out the violence to try to calm down the situation until police arrive. Under no circumstances should the staff or administrators take violent action against the person involved or put themselves into a situation where further violence may occur against them.

A full written account of the event(s) is to be made and provided to the Committee and the authorities (if required).

4 Roles and responsibilities

This section specifies the roles and responsibilities of all Members. In some cases, particular classes of Members have the additional roles and responsibilities that are also specified below

4.1 All members

A Member must:

- a. comply with this Policy;
- b. make complaints about a breach of the Policy in accordance with the Club's Complaints Handling Procedure;
- c. submit to the Complaints Handling Procedure if an allegation is made against that Member;
- d. not make any frivolous or vexatious claim that another person is in breach of this Policy; and
- e. conduct themselves in a proper manner so as not to bring that Member, the Club or the sport generally into disrepute.

4.2 Administrators

Administrators must ensure that the Club:

- a. provides and promotes an environment free from discrimination and harassment in relation to its employment functions, its membership eligibility and its gymnastics' programs;
- b. distributes, promotes and implements this Policy and Complaints Handling Procedure;
- c. encourages reporting of discrimination, harassment or child abuse, regardless of who the offender might be, and that appropriate training is provided to those who manage and implement this Policy; and
- d. deals with complaints in an impartial, sensitive, timely and confidential manner (if necessary referring the matter to a more appropriate authority).

4.3 Coaches

Coaches must:

- a. comply with the Coaches' Code of Ethics (incorporated in the Technical Membership Handbook from time to time);
- b. understand and respect that as a coach he or she has considerable power and authority over athletes and should not abuse it;
- c. avoid intimate relationships with athletes;
- d. not exclude or treat less favourably any athlete from playing or coaching activities on the basis of an attribute or personal characteristic;

- e. always assume that there are lesbian, gay and bisexual people on teams, and among the coaching and support staff, even if they have chosen not to identify themselves, and make it clear that the coach will not tolerate any prejudice based on sexual orientation; and
- f. avoid focussing on an athlete's disability unless this is the only way that the coach can find out what adjustments the athlete requires.

4.4 Judges

Judges must comply with the Judges' Code of Ethics (incorporated in the Technical Membership Handbook from time to time).

SCGC expects and encourages its judges to be fair and totally impartial in all events which they are officiating at.

5 Member Protection Officer

The Club appoints a member of the Committee to be the Club Member Protection Officer. That person is responsible for the implementation of this policy and for handling any relevant complaint in regard to a breach of this policy. The Member Protection Officer may from time to time be supported by a senior coach who has completed the applicable training.

6 Complaint procedures and disciplinary action

The Club has developed a Complaints Management Procedure (refer to CMS 3.2.3, Administration Procedures paragraph 2.5) and will deal with any complaints about breaches of this Policy promptly, seriously, sensitively and confidentially. The Club recognises that natural justice is the minimum standard of fairness to be applied in the investigation and adjudication of a complaint.

Disciplinary action will be taken by SCGC against anyone who:

- a. is found to be in breach of this Policy;
- b. victimises or retaliates against a person who has complained of a breach of this Policy; or
- c. is found to have made a frivolous or vexatious complaint.

The discipline will depend on the severity of the case and may involve any apology, counselling, suspension, dismissal or other form of action

7 Confidentiality and reporting

The Club administration responsible for implementing this Policy will keep confidential the names and details relating to complaints, unless disclosure is:

- a. necessary as part of the disciplinary or corrective process; or
- b. required by law.

8 Application

This Policy applies to all members of the Club, employees, officers, administrators, volunteers, coaches, judges, athletes and officials (*Members*).

This Policy applies equally to Members involved in each of the gymnastics disciplines, including Men's Artistic Gymnastics, Women's Artistic Gymnastics, Rhythmic Gymnastics, General Gymnastics, Sport Aerobics, Trampoline Sports and Sports Acrobatics.

This Policy applies to behaviour occurring both within and outside the course of SCGC business, activities and events, when the behaviour involves Members and negatively affects relationships within the Club's sport and work environment

9 Ownership and maintenance

The Centre Manager is the owner of this Policy and responsible for its implementation and maintenance.

10 Revision/Review record

Date	Issue	Author	Description of Revision
10 Sep 02	1.0	Bob Weight	First issue.
11 Jan 06	1.1	Nikki Cochrane	Updated to reflect GA template
04 Jan 07	1.2	Bob Weight	Updated after 2007 Planning Meeting – minor amendments to make consist across the CMS
04 Jan 08	1.3	Bob Weight	Update for Star 3 submission
20 Sep 10	1.4	Bob Weight	Annual Review – Minor changes aimed at emphasising specific policies