



NTBA INC

POLICIES AND PROCEDURES - MEMBER PROTECTION POLICY

Foreword and Welcome

As a member of the Northern Territory Badminton Association Incorporated (NTBA Inc) the NTBA Inc is proud to offer its membership a considerate and encouraging environment in which to start and develop an appreciation for the game of Badminton. Our membership comprises volunteers across a range of appointments and teams with links to community groups, State and National representation. The preface to [Badminton Australia's Member Protection Policy](#) to which we must adopt, comply and implement states that:

“Badminton Australia

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

What we have attempted to encapsulate with this statement of our Policies and Procedures is our interpretation and representation of guidance that accords with National and State guidance. You are most welcome to consider and reflect on this guidance and refer to our Committee members if you need further advice or query an aspect. **Club members are expected to conform to these guidelines and failure to do so will result in a formal Notice to Show Cause** as to why membership of the Club should not be revoked. Thank you for taking the time to familiarize yourself with this guidance. If you feel that you cannot approach the session convenors or playing Clubs for whatever reason then you are encouraged to contact the:

Northern Territory Badminton Association

Website: <http://ntbadminton.org.au/>

Address: admin@ntbadminton.org.au/

GPO Box 4413 DARWIN NT 0801

Phone: 0468 744 278

The policy attachments provide the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, NTBA Inc will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed by the committee of Management of the NTBA. The policy commences on 14 May 2015 and will operate until replaced. This policy and/or its attachments may be amended from time to time by formal acceptance at a committee meeting. Copies of the policy and its attachments can be obtained from our website or from our Venue Coordinator. Guests and Visitors to our Venues are to have their attention drawn to this policy and behavioural expectations. Non compliance will result in barring from our venues.



What we all need to do as an Association!

It is important that as an Association and affiliated Clubs we:

Adopt thorough recruitment and selection practices for both paid and voluntary positions;

Ensure new employees, volunteers managers, coaches, members, visitors, guests, spectators and parents are aware of the policy and are provided with access to a copy of the policy;

Annually remind our membership during their registration (and `on occurrence' our guests and visitors) of our Member Protection Policy.

Nominate a contact person within the organisation who is responsible for maintaining the policy;

Promote the policy and procedures widely and regularly, including the requirement that everyone involved in the organisation is required to adhere to the policy and procedures;

Ensure the policy is easily accessible (e.g. on website or on a notice board);

Conduct regular education and awareness sessions regarding the policy, its requirements and the possible consequences for breaching the policy;

Ensure that an adequate number of people are appropriately trained to receive and handle complaints (e.g. Member Protection Information Officers and/or Complaints Officers/Managers);

Implement strategies that promote appropriate standards of conduct / behaviour;

Ensure that complaints (grievances and allegations) are handled in accordance with the procedures provided in the policy;

Ensure accurate records are kept in a safe and secure place;

Take all 'reasonable steps' to prevent discrimination, harassment and child abuse from occurring in the organisation/sport; and

Appoint a person to monitor, evaluate and regularly review the policy.

**Simon Harvey
President
NTBA Incorporated**

23rd May 2015

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Dictionary

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

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

Affiliated club means [insert relevant words].

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

Child abuse relates to children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; giving bad nutritional advice; or training that exceeds the child's development or maturity).

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

Complainant means the person making a complaint.

- a. 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. The relevant attributes or characteristics are:
 - b. Age;
 - c. Disability;
 - d. Marital status;
 - e. Parental/carer status;
 - f. Physical features;
 - g. Political belief/activity;
 - h. Pregnancy;
 - i. Race;

- j. Religious belief/activity;
- k. Sex or gender;
- l. Sexual orientation;
- m. Trade union membership/activity;
- n. Transgender orientation.

Some States and Territories include additional characteristics.

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 unwelcome and of a type that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, 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 the NTBA Inc.

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 means a financial member and /or a representative player of the Club, a person who attends our club training venues as an irregular but paid attendee or a Life Member.

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

- a. protecting those that are involved in sport activities from harassment, abuse, discrimination and other forms of inappropriate behaviour
- b. adopting appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with juniors, and
- c. providing education.

Member Protection Information Officer (MPIO) means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this policy. The MPIO

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

Natural justice incorporates the following principles:

- a. a person who is the subject of a complaint must be fully informed of the allegations against them
- b. 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.

Role-specific codes of conduct means standards of conduct required of certain roles (e.g. coaches).

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 including but not limited to (due to differences under state/territory legislation):

- a. Rape
- b. Indecent assault
- c. Sexual assault
- d. Assault with intent to have sexual intercourse
- e. Incest
- f. Sexual penetration of child under the age of 16
- g. Indecent act with child under the age of 16
- h. Sexual relationship with child under the age of 16
- i. Sexual offences against people with impaired mental functioning
- j. Abduction and detention
- k. Procuring sexual penetration by threats or fraud
- l. Procuring sexual penetration of child under the age of 16
- m. Bestiality

- n. Soliciting acts of sexual penetration or indecent acts
- o. Promoting or engaging in acts of child prostitution
- p. Obtaining benefits from child prostitution
- q. Possession of child pornography
- r. Publishing child pornography and indecent articles.

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.

Visiting Player means a person attending our venues on an irregular but fee paying basis but who is not a paid up member of the NTBA Inc.

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

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

NTBA INC - POLICIES AND PROCEDURES

References:

- A. Australian Sports Commission - Ethics in Sport - Codes of Behaviour
<http://www.badminton.org.au>
- B. [Badminton Australia's Member Protection Policy](#) of 16 Feb 2014
- C. [NT Care and Protection of Children Act](#) as in force at 9 September 2014

Please note that this is not an exhaustive summary of codes of behaviour.

The Essence of Australian Sport

1. Sport at all levels in Australia upholds the principles of:

Fairness	Operating within the spirit of the rules, never taking an unfair advantage and making informed and honourable decisions at all times.
Respect	Recognising the contribution which people make to sport, treating them with dignity and consideration, as well as caring for the property and equipment they use.
Responsibility	Taking responsibility for one's actions and being a positive role model at all times.
Safety	Encouraging healthy and safe procedures, preventing and reporting dangerous behaviour, while demonstrating concern for others.

By applying these principles, sport helps to develop the **virtues and personal characteristics** of: **Compassion, Determination, Integrity, Loyalty, and Trust.**

In addition, sport helps to achieve the following outcomes: **Achievement, Enjoyment, Friendship, Inclusiveness, Opportunity, Teamwork, and Wellbeing.**

The graphic below seeks to depict the parts of this Policy and Procedure statement and inter-dependencies between. It naturally reflects the context within the National guidelines as provided by the Australian Sports Commission (ASC) and the relevant Commonwealth and State law.

Policy Framework

PART A: CORE POLICY

Contains key roles and responsibilities, policy position statements and codes of conduct that are applicable throughout the sport. These should be reflected in all State/Territory Association, clubs and other member or affiliated association policies. Some state associations may need to add some additional points to meet State/Territory Department requirements. If this is necessary, these additional requirements could be included in the core policy or in an attachment.

Generic Child Protection Requirements

QLD – Blue Card Requirements

NSW – Child Protection Requirements

WA - Child Protection Requirements

VIC - Child Protection Requirements

SA - Child Protection Requirements

NT Care and Protection of Children Act

THE NATIONAL BODY SHOULD INCLUDE/MAKE AVAILABLE A COPY OF ALL APPLICABLE STATE/TERRITORY REQUIREMENTS IN ITS POLICY OR ON IT'S WEBSITE. EACH STATE ASSOCIATION ONLY INSERTS THE RELEVANT STATE INFORMATION INTO THEIR POLICY

PART B: STATE/TERRITORY SPECIFIC REQUIREMENTS (ATTACHMENTS)

Details the specific requirements and/or processes that must be followed under state/territory child protection legislation. Where specific state legislation does not exist, the generic requirements are followed.

Investigation Procedure – Child Abuse

Investigation Procedure - General

Tribunal Hearing Process

Complaints Process

PART C: COMPLAINT HANDLING PROCEDURES (ATTACHMENTS)

Contains suggested complaints, tribunal, investigation and mediation processes.

If an organisation has adequate existing/alternative processes, they are inserted or referred to here.

Coach Code of Conduct

Athlete Code of Conduct

Official Code of Conduct

Staff/employee Code of Conduct

Parent Code of Conduct

PART D: ROLE-SPECIFIC CODES OF CONDUCT (ATTACHMENTS)

Codes of conduct relevant to specific roles are inserted here.

Record of Informal complaint

Record of Formal complaint

Record of Tribunal decision

Record of Mediation

PART E: REPORTING DOCUMENTS (ATTACHMENTS)

Any reporting documents such as interview record forms are inserted here.

PART A – NTBA Inc CORE MEMBER PROTECTION POLICY

Core Values

1. The core values of the NTBA are based on the essence of Australian Sport and are as follows:
 - a. **Fairness.** Operating within the spirit of the rules, never taking an unfair advantage and making informed and honourable decisions at all times.
 - b. **Respect.** Recognising the contribution that people make to sport, treating them with dignity and consideration, as well as caring for the property and equipment they use.

Responsibility. Taking responsibility for one's actions and being a positive role model at all times.

Safety. Encouraging healthy and safe procedures, preventing and reporting dangerous behaviour, while demonstrating concern for others.

2. By applying these principles, sport helps to develop the virtues and personal characteristics of: **Compassion, Determination, Integrity, Loyalty, and Trust.**
3. In addition, sport helps to achieve the following outcomes: **Achievement, Enjoyment, Friendship, Inclusiveness, Opportunity, Teamwork, and Wellbeing.**

Purpose of this policy

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, Badminton Australia and its affiliated Associations and Clubs will take disciplinary action against any person or organisation bound by this policy if they breach it.

This Member Protection Policy aims to ensure our core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. This policy also ensures that everyone involved in our sport is aware of his or her legal and ethical rights and responsibilities.

One of the key issues we all face in life is how we interact and work with one another. As members in the sport of badminton we all look to get something specific from the sport whether that is social play, contribution to Club activities in general or moving up the pathways to the elite level.

Our Member Protection Policy is designed to raise awareness of ethics in sport. It also provides a means for people to address issues where they have difficulties with the way decisions or actions of others have been taken that may affect them personally. It is designed to give people a process for redress. It is there to ensure that we have a set of guidelines and processes to help us better understand how to get on with each other when the diversity we face is construed to become harassment or abuse.

Whilst badminton is not seemingly a large sport within Australia, it has an enormous cultural diversity and international base. Our obligation to each other is to recognize the rights of the individual and to ensure that we act in a way that causes no offence.

Who is bound by this policy?

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

- a. Individuals sitting on committees and sub-committees;
 - b. Employees and volunteers;
 - c. Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
 - d. Coaches and assistant coaches;
- Athletes and players;
- Referees, umpires and other officials;

Members, including life members;

Athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by Badminton Australia

Member associations;

Affiliated clubs and associated organisations;

Any other person or organisation that is a member of or affiliated to the NTBA Inc;

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 NTBA Inc if disciplinary action, relating to an allegation of child abuse against that person, has commenced.

Any other person to whom the policy may apply.

It also provides guidelines on state/territory child protection legislative requirements, and processes such as complaints handling, tribunals and investigations. Since members of our club may travel interstate to compete it ought to be borne in mind that the legislation of each state must be complied with.

MEMBER PROTECTION – CODE OF BEHAVIOUR

General Code of Behaviour

A member of *NTBA Inc* is required to comply with *NTBA Inc's Member Protection Policy*. You must meet the following requirements in regard to your conduct during any activity held or sanctioned by NTBA Inc and in any role you hold within *NTBA Inc*:

- a. Respect the rights, dignity and worth of others.
- b. Be fair, considerate and honest in all dealing with others.

Be professional in, and accept responsibility for, your actions.

Make a commitment to providing quality service.

Be aware of, and maintain an uncompromising adherence to, *NTBA Inc's* standards, rules, regulations and policies.

Operate within the rules and spirit of the sport including national and international guidelines that govern *NTBA Inc*, the member associations and the affiliated clubs.

Do not use your involvement with NTBA Inc to promote your own beliefs, behaviours or practices where these are inconsistent with those of NTBA Inc.

Demonstrate a high degree of individual responsibility especially when dealing with persons less than 18 years of age, as your words and actions are an example. Always place the safety and welfare of children above other considerations;

Avoid unaccompanied and unobserved activities with persons less than 18 years of age, wherever possible.

Refrain from any form of harassment of others.

Refrain from any behaviour that may bring NTBA Inc, a member association or an affiliated club into disrepute.

Provide a safe environment for the conduct of the activity.

Show concern and caution towards others who may be sick or injured.

Be a positive role model.

Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;

Abide by the relevant [Role-Specific Codes of Conduct outlined in Part D](#) of this policy.

Organisational Responsibilities

The NTBA and its members must:

- a. Adopt, implement and comply with this policy;
- b. Ensure that the Constitution, By-laws or other rules and policies include the necessary clauses for this policy to be enforceable
- c. Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- d. Promote and model appropriate standards of conduct at all times;

Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;

Apply this policy consistently without fear or favour;

Recognise and enforce any penalty imposed under this policy;

Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies

Appoint or have access to appropriately trained people to receive and handle complaints and allegations [e.g. Member Protection Information Officers (MPIOs) and/or Complaint Managers] and display the names and contact details in a way that is readily accessible;

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 C of this policy.)

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

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.

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 E 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 D of this policy.)and

Monitor and review this policy at least annually.

Individual Responsibilities

Individuals bound by this policy are responsible for:

- a. Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- b. Consenting to a national police check if the individual holds or applies for a role that involves direct and unsupervised contact with people under the age of 18 years.

Complying with all other requirements of this policy;

Co-operating in providing a discrimination, child abuse and harassment free sporting environment;

Making themselves aware of the policy and complying with the codes of behaviour it sets out.

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, and

Understanding the possible consequences of breaching this policy.

What else is required?

It is important that as an Association or affiliated club we:

- a. Adopt thorough recruitment and selection practices for both paid and voluntary positions;
- b. Ensure new employees, volunteers managers, coaches, members and parents are aware of the policy and are provided with a copy of the policy;

Nominate a contact person within the organisation who is responsible for maintaining the policy;

Promote the policy and procedures widely and regularly, including the requirement that everyone involved in the organisation is required to adhere to the policy and procedures;

Ensure the policy is easily accessible (e.g. on website or on a notice board);

Conduct regular education and awareness sessions regarding the policy, its requirements and the possible consequences for breaching the policy;

Ensure that an adequate number of people are appropriately trained to receive and handle complaints (e.g. Member Protection Information Officers and/or President);

Implement strategies that promote appropriate standards of conduct / behaviour;

Ensure that complaints (grievances and allegations) are handled in accordance with the procedures provided in the policy;

Ensure accurate records are kept in a safe and secure place;

Take all 'reasonable steps' to prevent discrimination, harassment and child abuse from occurring in the organisation/sport; and

Appoint a person to monitor, evaluate and regularly review the policy.

Other Misconduct

Outlined below are some examples of Other Misconduct:

- a. Conduct which occurs on the field of play or on the site of any tournament, event or activity held or sanctioned by the ABA, NTBA or affiliates and which brings the sport and/or the ABA, a Member Association or an Affiliated Club into disrepute;
- b. Damage to property which occurs during or in connection with a tournament, event or activity held or sanctioned by ABA, SBC, a Member Association or an Affiliated Club;
- c. If the person is under 18 years of age, consuming alcohol during or in connection with a tournament, event or activity held or sanctioned by ABA, NTBA or an Affiliated Club except where such consumption is expressly permitted or authorised by ABA, NTBA, a Member Association or an Affiliated Club;
- d. Being drunk and disorderly during or in connection with a tournament, event or activity held or sanctioned by ABA, NTBA, a Member Association or an Affiliated Club;

Consuming, or aiding and abetting the consumption of, illegal drugs during or in connection with a tournament, event or activity held or sanctioned by ABA, NTBA, a Member Association or an Affiliated Club, provided that this clause does not apply to doping offences which are covered by the ABA Anti-Doping Policy;

If the person is under 18 years of age, breaching a curfew imposed by ABA, NTBA, a Member Association or an Affiliated Club during a tournament, event or activity held or sanctioned by ABA, NTBA, a Member Association or an Affiliated Club;

Disruptive or disorderly behaviour during or in connection with a tournament, event or activity held or sanctioned by ABA, NTBA, a Member Association or an Affiliated Club;

Committing any criminal offence or any other unlawful activity during or in connection with a tournament, event or activity held or sanctioned by ABA, NTBA, a Member Association or an Affiliated Club;

Incurring debts (eg telephone or accommodation charges) on behalf of ABA, NTBA, a Member Association or an Affiliated Club during or in connection with a tournament, event or activity held or sanctioned by ABA, NTBA, a Member Association or an Affiliated Club where such debts were or are not authorised by ABA, NTBA, a Member Association or an Affiliated Club.

POLICY POSITION STATEMENTS

Child Protection Policy

Every person and organisation bound by this policy must always place the safety and welfare of children above all other considerations. Badminton Australia and NTBA Inc 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. NTBA Inc acknowledges that our staff and volunteers provide a valuable contribution to the positive experiences of our juniors. NTBA Inc aims to ensure this continues and to protect the safety and welfare of its junior participants. Several measures will be used to achieve this such as:

- a. Prohibiting any form of abuse against children;
- b. Providing opportunities for our juniors to contribute to and provide feedback on our program development;

Carefully selecting and screening people whose role requires them to direct and unsupervised contact with children. (Screening procedures are outlined in Part B of this policy);

Ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed;

Providing procedures for raising concerns or complaints (our complaints procedure is outlined in Part C of this policy); and

Providing education and/or information to those involved in our sport on child abuse and child protection.

NTBA Inc requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within our sport, to report it immediately to the police or relevant government agency and the Club's Member Protection Information Officer (MPIO). Descriptions of the sorts of activity that may be abuse are in the Dictionary at the beginning of this Part A. All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in attachment [C4] 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.

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.

Taking images of children

Images of children can be used inappropriately or illegally. Badminton Australia and the NTBA Inc 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.

Anti-Discrimination and Harassment Policy

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

NTBA Inc recognises that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their sex, marital status, pregnancy, parental status, race, age, disability, homosexuality, sexuality, transgender, religion, political belief and/or industrial activity.

NTBA Inc 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 the beginning of this policy statement.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedures as summarised in our flowchart outlined at Attachment E6 of this policy. This will explain what to do about the behaviour and how the NTBA Inc will deal with the problem.

Sexual Relationships Policy

NTBA Inc takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided. NTBA Inc 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. NTBA'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, NTBA Inc 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.

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 coach may wish to approach the NTBA's MPIO if they feel harassed.

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

Pregnancy

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in our sport should be removed. We will not tolerate any discrimination or harassment against pregnant women.

The NTBA Inc will take reasonable care to ensure the safety, health and well-being of pregnant women and their unborn children. We will advise pregnant women that there may be risks involved and encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and 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. We will only require pregnant women to sign a disclaimer 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 C](#) of this policy.)

Gender identity

Badminton Australia is committed to providing a safe, fair and inclusive sporting environment where people of all backgrounds can contribute and participate. People who identify as transgender or transsexual should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition.

We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual. If a transgender or transsexual person feels he or she has been harassed or discriminated against by another person or organisation bound by this policy, he or she may make a complaint. (Refer to the attachments in [Part C](#) of this policy.)

The NTBA Inc recognises that excluding transgender and transsexual people from participating in sporting events and activities has significant implications for their health, well-being and involvement in community life. In general, we will support their participation in our sport on the basis of the gender with which they identify.

We also recognise that there is debate over whether a male-to-female transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country. If issues of performance advantage arise, we will seek advice on the application of those laws in the particular circumstances.

The NTBA Inc through Badminton 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.

Responsible service and consumption of alcohol

The NTBA Inc is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. It is Badminton Australia's recommendation that state associations and member clubs follow strict guidelines regarding the service and consumption of alcohol. In general, our policy is that:

- a. alcohol should not be available or consumed at sporting events involving children, and young people under the age of 18, and
- b. alcohol-free social events will be provided for young people and families

- c. food and low-alcohol and non-alcoholic drinks will be available at events we hold or endorse where alcohol is served
- d. a committee member will be present at events we hold or endorse where alcohol is served to ensure appropriate practices are followed
- e. safe transport options will be promoted as part of any event we hold or endorse where alcohol is served.

[Further guidance on developing an Alcohol Policy is available at:

www.playbytherules.net.au/resources/club-toolkit

http://cdn.playbytherules.net.au/assets/alcohol_policy.docx

and a new resource is available at www.hellosundaymorning.org

Smoke-free environment

Badminton Australia recommends that the following policies be applied to all sporting and social events that we hold or endorse.

- f. 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.
- g. Social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas.
- h. 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 court areas.

Cyber-bullying

The NTBA Inc regards bullying and harassment in all forms as unacceptable in our sport. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

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.

Badminton Australia will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. In some cases, bullying is a criminal offence punishable.

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 NTBA Inc or affiliated club or Badminton Australia.

Social networking websites

Badminton 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.

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:

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

[Further guidance on developing a Communications Policy is available at:

www.playbytherules.net.au/resources/club-toolkit]

Complaints Procedures

NTBA Inc aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy. A complaint should be reported to the Club President or an MPIO. A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the MPIO or President of the NTBA considers that the complaint falls outside the parameters of this policy and would be better dealt with another way.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in [Part C](#) of this policy.

Vexatious Complaints & Victimisation

NTBA Inc aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the MPIO and President considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the NTBA for appropriate action which may include disciplinary action against the complainant.

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

Mediation

NTBA Inc aims to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint - the complainant and the person complained about (respondent) - may also seek the assistance of a neutral third person or a mediator. Lawyers are able to negotiate on behalf of the complainant and/or respondent.

Mediation 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.

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. More information on the mediation process is outlined in [Part C Attachment 2](#) of this policy.

Tribunals

A hearings tribunal may be formed by the Committee to hear a formal complaint that has been referred by the President, or an alleged breach of the policy. Our tribunal hearings procedure is outlined in [Part C Attachment 5](#) of this policy.

A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal. The decision of the appeal tribunal is final and binding on the people involved to the appeal. Our appeals process is outlined in [Part C Attachment 5](#) of this policy.

Every organisation bound by this policy will recognise and enforce any decision made, and form of discipline imposed, by an appeals tribunal under this policy. Members of hearing and appeal tribunals will be indemnified by the organisation that appointed them against any claim for loss, compensation or damages, and for costs incurred defending a claim made against them, because of their function as a member of a hearings or appeals tribunal.

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 Behaviour](#) and [Role-Specific Codes of Behaviour](#);

Brought the sport or Club into disrepute;

Failed to follow NTBA Inc policies and procedures for the protection, safety and welfare of children;

Appointed or continued to appoint a person to a role that involves working with children and young people contrary to this policy;

Discriminated against or harassed any person;

Victimised another person for reporting a complaint;

Engaged in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;

Disclosed to any unauthorised person or organisation any NTBA Inc information that is of a private, confidential or privileged nature;

Made a complaint they knew to be untrue, vexatious, malicious or improper;

Failed to comply with a penalty imposed after a finding that the individual or organisation has breached this policy;

Failed to comply with a direction given to the individual or organisation during the discipline process

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 at [Part C Attachment 6](#) of this policy.

PART B: NTBA'S CHILD PROTECTION REQUIREMENTS

Background

1. Child Protection is about keeping children safe from abuse and protecting them from people who are unsuitable to work with children. Child abuse is illegal in all states and territories of Australia, with each having their own child protection laws that cover the reporting and investigation of cases of child abuse.
2. 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. The NTBA Inc and affiliated Clubs are guided by the [click here for the NT Government 'Working with Children' website advice that is available at this link.](#)
3. Under the Northern Territory's [Care and Protection of Children Act](#), a person is in child-related work and requires a Working With Children Clearance only if the usual duties of the work involve, or are likely to involve, contact with a child aged under 18 years in connection with...." Clubs, associations or movements with significant child membership or involvement, including groups that are of cultural, recreational or sporting nature e.g. cadets, Scouts, sporting clubs, junior rangers, youth groups, child-focused ethnic or cultural groups. **Activities include coaching, billeting and home-hosting". Also Other services requiring a Working with Children Clearance includes** Members of boards, management committees and partners in businesses that perform work with children also need a Clearance e.g. members of school councils or basketball associations.
4. Within the NT the NTBA Inc and affiliated clubs are to manage this requirement: Managing the process and below are some ways that we can manage this process:
 - a. Identify who in your organisation needs a Working with Children Clearance. If you are unsure who in your organisation needs a Working with Children Clearance please contact SAFE NT on 1800 SAFE NT (1800 723 368)
 - b. Create an action plan to make sure that the people in your organisation who need to apply for a Working with Children Clearance know what they need to do and when they need to do it
 - c. [After 1 July 2011 it is important to ensure that all new employees and volunteers have a valid Working with Children Clearance. You can ask to see their Ochre Card.](#)
 - d. Develop a record keeping sheet that shows you are complying with the Working with Children Clearance scheme
 - e. Consider whether your organisation has other policies and practices in place that will create a child safe/child friendly organisation
 - f. For more information about how to do this visit www.childwise.net for ways to make your organisation child safe/child friendly.
5. 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.
6. Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory and South Australia.
7. Badminton Australia, including state associations and clubs, will meet the requirements of the relevant state or territory 'Working with Children' Check laws.
8. Employment screening requirements will also be followed in the Australian Capital Territory and Tasmania.
9. 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.

Please be aware that state and territory child protection requirements also apply to individuals and organisations originating outside of the states with the legislation in place. For example, if one of our state associations or affiliated clubs takes junior

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

Northern Territory - Care And Protection of Children Act as in force at 9 September 2014

What this Act is about.

The objects of this Act are:

- a. to promote the wellbeing of children, including:
 - i. to protect children from harm and exploitation; and
 - ii. to maximise the opportunities for children to realise their full potential; and
 - iii. to assist families to achieve the object in paragraph (a); and
 - iv. to ensure anyone having responsibilities for children has regard to the objects in paragraphs (a) and (b) in fulfilling those responsibilities.

For the full version of the [Act click here](#) or the following link

<http://notes.nt.gov.au/dcm/legislat/legislat.nsf/linkreference/CARE%20AND%20PROTECTIO%20N%20OF%20CHILDREN%20ACT?opendocument>

10. As part of *NTBA Inc's* commitment to protecting the safety and welfare of children and young people involved in *NTBA Inc* activities, *NTBA Inc* requires the following measures to be met:

- a. Provide opportunities for juniors to contribute to and provide feedback on program development;
- b. Provide education and/or information on child abuse and child protection to those involved in our sport such as coaches, juniors, parents and officials; and

Meet the requirements outlined in each State per the following:

- (1) if in QLD association/club see [attachment B1](#)
- (2) if NSW association/club see [attachment B2](#)
- (3) if WA association/club see [attachment B3](#)
- (4) other states/territories see [attachment B4](#) – For the other States/Territories until new child protection legislation relevant to that state/territory is introduced.
- (5) If in South Australia see [attachment B5](#)

WORKING WITH CHILDREN CHECK REQUIREMENTS (from Badminton Australia MPP)

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- criminal history checks
- signed declarations
- referee checks, and
- other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children Check requirements vary across Australia. Fact Sheets for each state and territory are available on the Play by the Rules website: www.playbytherules.net

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

Australian Capital Territory

Contact the Office of Regulatory Services

Website: www.ors.act.gov.au/community/working_with_vulnerable_people

Phone: 02 6207 3000

New South Wales

Contact the Commission for Children and Young People

Website: www.kids.nsw.gov.au Phone: 02 9286 7276

Northern Territory

Contact the Northern Territory Screening Authority

Website: www.workingwithchildren.nt.gov.au

Phone: 1800 SAFE NT (1800 723 368)

Queensland

Contact the Commission for Children and Young People and Child Guardian about the "Blue Card" system.

Website: www.ccydpcg.qld.gov.au

Phone: 1800 113 611

South Australia

Contact the Department for Education and Child Development

Website: www.families.sa.gov.au/childsafes

Phone: 08 84 636 468

Note: In South Australia, the requirement to conduct criminal history assessments for people working with children is being phased-in over three years. For recreation and sporting organisations, this requirement commenced on 1 January 2012 and will be completed by 31 December 2013.

Victoria

Contact the Department of Justice

Website: www.justice.vic.gov.au/workingwithchildren

Phone: 1300 652 879

Western Australia

Contact the Department for Child Protection

Website: www.checkwwc.wa.gov.au

Phone: 1800 883 979

Attachment B1: Queensland Child Protection Requirements

1. This information is subject to change at any time. Refer to the Queensland Commission for Children and Young People and Child Guardian's website: www.ccypcg.qld.gov.au or contact 1800 113611. This information was updated on 1 June 2005.

2. In Queensland the *Commission for Children and Young People and Child Guardian Act 2000* requires people who work with children under 18 years of age in certain categories of paid or voluntary employment or those who operate child-related businesses, to undergo a Working with Children Check. The Working with Children Check is a comprehensive assessment of a person's suitability to work with children based on their criminal history and certain professional disciplinary information, if any. Those found suitable to work with children and young people are issued with a suitability card, or blue card. The blue card must be renewed every two years.

Association/club requirements

QLD State Association and affiliated clubs are responsible for applying to the Queensland Commission for Children and Young People and Child Guardian (CCYPCG) for Working With Children Checks on employees and volunteers who work with children or young people. People carrying on a regulated business are responsible for applying for their own Working with Children Check. These requirements apply despite the existence or absence of our member protection policy.

All our volunteers and certain paid employees that work with children or young people in the following categories of employment must apply for a blue card:

- a. *schools - employees other than teachers including non-teaching staff
- b. private teaching, coaching or tutoring

education programs conducted outside of schools

sport and active recreation

(Note that categories of employment not relevant to the activities of ABA have not been listed above.)

Categories marked with * are retrospectively screened. This means all people who work in these categories of employment must hold a blue card regardless of when they started work.

Application forms for us to apply for a suitability notice for a paid employee, volunteer or person carrying on a regulated business can be downloaded from www.ccypcg.qld.gov.au . Screening for volunteers is free and for paid employees and people carrying on a regulated business is \$40.00. The fee is to be paid by [insert relevant information e.g. individual or organisation].

Employees who work, or are likely to work, with children and young people for at least:

- a. eight consecutive days, or
- b. once a week, each week, over four weeks, or
once a fortnight, each fortnight, over eight weeks, or
once a month, each month over six months

must undergo a criminal history check.

Paid employees can begin or continue to work in regulated employment while waiting for the outcome of their blue card application.

People working in regulated employment, which is 'one-off' or on a short-term basis (where the duration of their employment is less than that listed above) are not required to undergo a criminal history check.

If NTBA Inc knows or reasonably suspects that an employee who is not retrospectively checked has a criminal history relevant to the working with children or young people, the NTBA Inc can apply for a blue card for that person. The application form for this is a 'Current Employee blue card application form'.

Recent amendments to the Act require Organisations to develop and implement a risk management strategy to promote the well-being of children in their care and protect them from harm.

The strategy caters for the following types of employees:

- a. A person who has started work pending the outcome of their blue card application
- b. A blue card holder

A person in regulated employment who is not required to hold a blue card, and

A person who the Commissioner is reassessing.

Volunteers working with children in our association/club must have a criminal history check. Application forms for us to apply for a suitability notice for a volunteer can also be downloaded from www.ccypcg.qld.gov.au . Screening for volunteers is free.

Exemptions

The following people are exempt from the Working with Children Check:

- a. children under 18 who are volunteers (except students required to work in regulated employment as part of their studies with NTBA Inc)
- b. parents who volunteer their services or conduct activities through NTBA Inc or are involved in sport and active recreation activities where their child is also a member of NTBA Inc.

(Only exemptions relevant to the activities of NTBA Inc have been listed above.)

Businesses: A person carrying on the following regulated businesses within NTBA Inc must also apply for a blue card:

- a. private teaching, coaching or tutoring
- b. education programs conducted outside of schools

providers of recreational activities such as sporting camps and programs (excluding amusement parks)

(Only the regulated business which conduct activities of relevance to NTBA Inc have been listed above.)

Attachment B2: New South Wales Requirements for Checking People to Work with Children

1. This information is subject to change at any time. Refer to the NSW Commission for Children and Young People website: www.kids.nsw.gov.au or contact 02 9286 7219.

All NSW clubs and associations who engage/employ people in child-related activities (in a paid or voluntary capacity) must meet the requirements of the Working With Children Check. This is a legal requirement. We are required to:

- a. Register with the NSW Department of Sport and Recreation Employment Screening Unit;
- b. Identify positions (paid and voluntary) which are child-related positions;

Obtain a Prohibited Employment Declaration (PED) from all existing employees in child-related positions. PED forms can be downloaded from www.kids.nsw.gov.au/check/resources.html . If the person is a prohibited person we must remove him/her from the child-related employment;

Keep the PED in a secure place for as long as the person is employed;

Ask preferred applicants for paid child-related positions to sign a Consent Form for a background check;

Include advice about the Working With Children Check in information being provided about child-related positions (e.g. coach of junior team);

Request a background check for preferred applicants for paid child-related employment before they start work;

Decide whether to offer the applicant the position, taking into account the result of the Working With Children Check and any other information we have available;

Where it is not practical to complete the background check prior to employment commencing, we must still complete the check as soon as possible. We must advise employees that their ongoing employment is conditional upon the satisfactory outcome of the check;

Notify the NSW Commission for Children and Young People of any person whose application for child-related employment has been rejected primarily because of a risk assessment in the Working With Children Check. We must do this even if we offer the person an alternative position;

Advise the person if their application was rejected primarily because of an adverse risk assessment in the Working With Children Check;

Notify the NSW Commission for Children and Young People of any person against whom [relevant employment proceedings](#) have been completed; and

Protect the privacy of any person who is checked and the confidentiality of any information obtained through the checking process.

Child-related employment is any work (paid or unpaid) that involves direct and unsupervised contact with children in several types of areas such as sporting clubs and associations that have a significant child membership or involvement.

Employment includes work done:

- a. under a contract of employment;
- b. as a sub-contractor;

as a volunteer for an organisation;

as a minister of religion (whether or not ordained); and

undertaking practical training as part of an educational or vocational course

Prohibited person is a person convicted of committing a serious sex offence or a registrable person.

Registrable person is someone who has been found guilty of the following offences against children:

- a. murder
- b. sexual offences
- c. indecency offences

kidnapping

child prostitution

child pornography

Relevant employment proceedings are disciplinary proceedings completed in NSW, or elsewhere, where an employer or professional body that supervises the conduct of the employee has found that 'reportable conduct' or an act of violence occurred, or there is some evidence that it occurred. An act of violence will be relevant only if it was committed by an employee in the course of employment and in the presence of a child.

Reportable conduct is:

- a. any sexual offence, or sexual misconduct, committed against, with or in the presence of a child (including a child pornography offence);
 - b. any assault, ill treatment or neglect of a child; or
- any behaviour that causes psychological harm to a child.

Attachment B3: Western Australia Child Protection Requirements

1. This information is subject to change at any time. Refer to the Department of Community Development Website: <http://community.wa.gov.au/> or contact 08 9476 2000. This information will need to be regularly updated. The following is based on information available as at June 2005.

Details of the phasing-in arrangements for different types of child-related work and information regarding what is required and the process for applications will be posted on the Department of Community Services website <http://community.wa.gov.au/Resources/Child+Protection/> in the future. Until this time NTBA Inc will follow the screening process set out in [Attachment B4: Child Protection Requirements](#)

From 1 January 2006, certain people working with children in Western Australia will be required to have a national criminal history check – a Working with Children Check. The Working with Children Check will be compulsory under the Working With Children (Criminal Record Checking) Act 2004 which was passed by State Parliament in November 2004.

The Check proposes to screen employees, self-employed persons and volunteers in defined categories of employment. The Check will take into account convictions and charges for serious sexual and violent offences. Assessment will be by a new screening unit within the Office for Children and Youth, of the Department for Community Development. Applicants will be issued with either an 'assessment notice' in the form of an ID card which allows that person to work or volunteer with children, or a negative notice. Assessment notices will be valid for three years.

The following groups will not need to have a Working With Children Check:

- a. volunteers under 18 years
- b. employers of children, or adult employees who have contact with a child-employee in the workplace (unless they are carrying-out child-related work)

registered teachers, who require a national criminal record check as part of their registration under the *Western Australian College of Teaching Act 2004*

parents who volunteer in activities in which their children are also involved.

Working with Children Checks will be phased in over a five-year period according to the type of work being carried out. Once the checks begin for particular groups, employees, employers, self-employed people and volunteers working with children will have certain obligations to fulfil.

Attachment B4: Child Protection Requirements for other States/Territories until new child protection legislation relevant to that state/territory is introduced.

1. This attachment sets out the screening process 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 the NTBA Inc Member Protection Policy, our Club is required to:

- a. Identify positions (paid and voluntary) that involve working with people under the age of 18 years.
- b. Obtain a completed Member Protection Declaration (MPD) ([Attachment B6](#)) from all people who are bound by this policy if they occupy or apply for a position that involves working with people under the age of 18 years. The MPD will be kept in a secure place.

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

- a. provide an opportunity for the person to respond/provide an explanation, and
- b. 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 NTBA Inc. will:

- a. 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.
Note: legal advice should be obtained before the termination process begins.
- b. in the case of a someone applying for the position/role, not appoint them.

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

Ask people applying for [and people who currently occupy] a position that to sign a consent form for a national police check. (Information on police checks and forms can be found at www.ausport.gov.au/ethics/policechecks.asp).

Request a national police check from our relevant police jurisdiction for people applying for [and people who currently occupy] paid or paid and voluntary positions that involves direct and unsupervised contact with people under the age of 18 years]

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

If the police check indicates a relevant offence, the NTBA Inc. will:

- a. provide an opportunity for the person to respond/provide an explanation, and
- b. 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 NTBA Inc or affiliated club will:

- a. 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. Note: legal advice should be obtained before the termination process begins.
- b. in the case of a someone applying for the position/role, not appoint them.

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

- a. 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. Note: legal advice should be obtained before the termination process begins.
- b. in the case of a someone applying for the position/role, not appoint them.

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 any other information NTBA Inc or affiliated club has available. Where it is not practical to complete the police check prior to employment commencing, NTBA Inc or affiliated club must still complete the check as soon as possible. NTBA Inc or affiliated club will advise the person that their ongoing employment is conditional upon the satisfactory outcome of the check.

Where a national police check is obtained under this member protection policy, another organisation, which is also required to screen, may obtain a copy of the national police check provided that the consent of the relevant person is obtained and the national police check was performed in the immediately preceding two years.

Protect the privacy of any person who is checked and the confidentiality of any information obtained through the checking process. Information collected during screening (such as a completed MPD form, police records and referee reports) will be returned to the relevant person if that person is not appointed to/will not remain in the position, or otherwise be destroyed with the consent of the person concerned.

Attachment B5: Child Protection Requirements – South Australia

CHILD PROTECTION

After the comprehensive review of the South Australian Child Protection system via the 2003 Layton Report “Our Best Investment”, the South Australian Government released the “Keeping them safe” policy. Since then, important steps have been taken to bring together whole of government services for children and young people either at risk or under the guardianship of the Minister.

The following URL should direct you to the material including the two below

<http://www.health.sa.gov.au/Default.aspx?tabid=588>

Two key initiatives include the:

[Child Protection Information Sharing Protocol](#)

[Establishment of prioritised Health Standards for children and young people under the guardianship of the Minister \(Rapid Response\).](#)

The Child Protection Information Sharing Protocol provides guidelines for practitioners to *implement the Memorandum of Understanding (MoU) Child Protection Framework for the Provision of Services* between the Department of Health and Department for Families and Communities. Information kits are available upon request.

Following extensive consultation in 2005, Health standards for Children and Young People under the Guardianship of the Minister were developed by Children, Youth & Women’s Health Service in partnership with Families SA to support the implementation of Rapid Response.

Country Health SA, in partnership with Families SA (Country Region) now has the responsibility for implementing these Standards across country South Australia. For more information or requests for resources please contact Country Health SA, Early Childhood Directorate on 8724 5206.

Attachment B6: Member Protection Declaration

The NTBA Inc has a duty of care to its members and to the general public who interact with its employees, volunteers, members and others involved with NTBA Inc activities. As part of this duty of care and as a requirement of the NTBA Inc's Member Protection Policy, the NTBA Inc must enquire into the background of those applying for, undertaking or remaining in any work (paid or voluntary) that involves direct and unsupervised contact with people under the age of 18 years

I, , (name)

of

..... (residential address)

born on/...../..... (date dd/mm/yyyy)

sincerely declare:

2. 1. I do not have any criminal charge pending before the courts.

I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence.

I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, acts of violence, intimidation or other forms of harassment.

I have never been sanctioned for an anti-doping rule violation under any anti-doping policy applicable to me.]

I have never participated in, facilitated or encouraged any practice prohibited by the World Anti-Doping Agency Code or any other anti-doping policy applicable to me.

To my knowledge there is no other matter that the NTBA Inc may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.

I will notify the President of the NTBA Inc. engaging me immediately upon becoming aware that any of the matters set out in clauses [1 to 6] above has changed for whatever reason.

Declared in the State/Territory of

on/...../.....(date) Signature

Parent/Guardian Consent (in respect of person under the age of 18 years)

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name:

Signature:

Date:/...../.....

PART C: COMPLAINT AND INVESTIGATION PROCEDURES

3. To ensure consistency and that the principles of natural justice are followed in all aspects of handling or conducting complaints, allegations, investigations, tribunals and disciplinary measures, the *NTBA Inc.* will follow and implement the following procedures:

[C1 Complaints Procedure](#)

[C2 Mediation Procedure](#)

[C3 Investigation Procedure](#)

[C4 Investigation Procedure for allegations of child abuse](#)

[C5 Hearings and Appeals Tribunal Procedure](#)

**More information on tribunals is available at
www.ausport.gov.au/ethics/policy.asp**

[C6 Disciplinary Measures](#)

Attachment C1: Complaints Procedure

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

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

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

Step 1 – Talk with the other person

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

Step 2 – Contact a Member Protection Information Officer

If the first step is not possible/reasonable; or you are not sure how to handle the problem by yourself; or you just want to talk confidentially about the problem with someone and get some more information about what you can do; or the problem continues after you tried to approach the person or people involved; then we encourage you to talk with one of our Member Protection Information Officers (MPIOs) or to your Club or Association President. A list of our MPIO is on display on the noticeboard at each playing venue.

The MPIO will:

- a. take notes about your complaint (which the [MPIO] will keep in a secure and confidential place);
 - b. try to sort out the facts of the problem;
- ask what outcome/how you want the problem resolved and if you need support;
- provide possible options for you to resolve the problem;
- explain how our complaints procedure works;
- act as a support person if you so wish;
- refer you to an appropriate person to help you resolve the problem, if necessary;
- inform the relevant government authorities and/or police if required by law to do so; and
- maintain strict confidentiality.

Step 3 – Decide how to resolve the problem

After talking with the MPIO, you may decide:

- a. there is no problem;
- b. the problem is minor and you do not wish to take the matter forward;
- c. to try and work out your own resolution (with or without a support person such as a MPIO); or

to seek an informal mediated resolution with the help of a third person (such as a mediator or a Manager).

If you wish to remain anonymous, the NTBA Inc. can't assist you to resolve your complaint. We have to follow the principles of natural justice and be fair to both sides. This means that

the NTBA Inc. or you may be required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond to all the allegations.

Step 4 – Making a formal complaint

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

- a. make a formal complaint in writing to the Club or Association President, a Committee Member or MPIO; or

approach a relevant external agency such as an equal opportunity commission, for advice.

If you decide to make a formal complaint in writing under Step 4, the President will, on receiving the formal complaint, acknowledge receipt of your complaint in writing by certified mail. Based on the material you have provided the President will decide whether:

- a. they are the most appropriate person to receive and handle the complaint;

the nature and seriousness of the complaint warrants a formal resolution procedure. Some complaints may be of a minor and/or purely personal nature with no connection to the activities of the NTBA Inc. In these cases, the Club President, a Committee Member or MPIO may determine that the complaint does not warrant a formal resolution procedure;

to appoint a person to investigate the complaint;

to refer the complaint to an informal or formal mediation session;

to refer the complaint to a hearings tribunal;

to refer the matter to the police or other appropriate authority; and/or

to implement any interim administrative or other arrangements that will apply until the complaint process set out in these Procedures is completed.

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

- a. whether they have had any personal involvement in the circumstances giving rise to the complaint and, if so, whether their ability to impartially manage the complaint is compromised or may appear to be compromised;
- b. whether, due to the nature of the complaint, specific expertise or experience may be required to manage the complaint;

your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;

whether, due to the nature of the complaint, the relationship between you and the respondent and any other relevant factors, the complaint should be referred (or should not be referred) to informal or formal mediation or to a hearings tribunal. Relevant factors may include an actual or perceived power imbalance between you and the respondent, the nature of any ongoing working relationship between you and the respondent, and the personal attributes of you and the respondent (for example, if one party does not speak English fluently, some of the possible complaints resolution mechanisms may not be appropriate);

the nature and sensitivity of any information or other material that must be provided by you, the respondent, and any of the other people involved in the complaint;

whether the facts of the complaint are in dispute; and

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

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

- a. get full information from you (the complainant) about your complaint and how you want it resolved (if this information has not already been obtained through earlier steps);

- b. put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story;

decide whether they have enough information to determine whether the matter alleged in your complaint did or didn't happen; and/or

determine what, if any, further action to take. This action may include disciplinary action in accordance with [Attachment C6](#), appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session or a hearings tribunal and/or referring the complaint to the police or other appropriate authority.

Step 5 – Investigating the complaint

If a person is appointed to investigate the complaint under Step 5, the investigator will conduct the investigation in accordance with Attachment C3, Investigation Process, and provide a written report to the appropriate affiliated club or NT Badminton Association President who will determine what, if any, further action to take. This action may include a direction to the investigator to make further enquiries and obtain additional information, disciplinary action in accordance with [Attachment C6](#), and referring the complaint to an informal or a formal mediation session, a hearings tribunal and/or the police or other appropriate authority;

- a. the complaint is referred to an informal or a formal mediation session under Step 5, the mediation session will be conducted in accordance with [Attachment C2](#) or as otherwise agreed by you and the respondent;

the complaint is referred to a hearings tribunal under Step 5, the hearing will be conducted in accordance with [Attachment C5](#);

the complaint is referred to the police or other appropriate authority under Step 5, the NTBA Inc. will use its best endeavours to provide all reasonable assistance lawfully required by the police or other appropriate authority; and

interim administrative or other arrangements are implemented under Step 5, the NTBA Inc. will periodically review these arrangements to ensure that they are effective.

Any costs relating to the complaint process set out in this Policy (e.g. investigation and/or mediation and/or hearings tribunal) are to be met by NTBA Inc.

Step 6 – Reconsidering a complaint or appealing a decision

If, under Step 5, an informal or formal mediation session is conducted, and you and the respondent(s) cannot reach a mutually acceptable mediated solution to the complaint, you may request that the President reconsider the complaint in accordance with Step 4.

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

- a. under Step 4, a decision was made by Club President:
 - (1) not to take any action; or
 - (2) to take disciplinary action; or

under Step 5, a decision was made by NTBA Inc President, affiliated club President or a hearings tribunal:

- (1) not to take any action; or
- (2) to take disciplinary action.

The grounds for appeal and the process for appeals under this Policy are set out in [Attachment C5](#).

If the internal complaints processes set out in this Policy do not achieve a satisfactory resolution/outcome for you, or if you believe it would be impossible to get an impartial resolution within NTBA Inc or the affiliated Club, you may choose to approach an external agency such as an Equal Opportunity Commission to assist with a resolution.

Step 8 – Documenting the resolution

The NTBA Inc or affiliated Club President will document the complaint, the process followed and the outcome. This document will be stored in a confidential and secure place. If the

complaint was dealt with at a state/district level, the information will be stored in the state association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the national level, the original document will be stored at the national office with a copy stored at the state office.

Approaching external organisations

There may be a range of external options available to you depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from your State or Territory equal opportunity commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be a type of harassment that comes within its jurisdiction, you may then make a decision as to whether or not to lodge a formal complaint with the commission.

Once an anti-discrimination commission receives a complaint, an investigation will be conducted. If it appears that unlawful harassment or discrimination has occurred, there will usually be an attempt to conciliate the complaint confidentially first. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made as to whether unlawful harassment or discrimination occurred. The tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred.

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

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

Attachment C2: Mediation

1. Mediation is a process by which people who are in conflict can be helped to communicate with each other about what is important for them and how to make decisions about resolving their dispute. Mediators provide a supportive atmosphere and method of talking to one another, to assist in sorting out the issues, coming up with acceptable solutions and making mutually satisfactory agreements.
2. This attachment outlines the general procedure of mediation that will be followed by NTBA Inc.
 - a. The people involved in a formal complaint (complainant and respondent(s)) may work out their own resolution of the complaint or seek the assistance of a neutral third person or a mediator. Mediation may occur either before or after an investigation of the complaint.
 - b. Mediation (getting those involved to come to a joint agreement about how the complaint should be resolved) will only be recommended:
 - (1) After the complainant and respondent have had their chance to tell their version of events to the designated MPIO or President on their own; and
 - (2) The MPIO or President does not believe that any of the allegations warrant any form of disciplinary action - proven serious allegations will not be mediated, no matter what the complainant desires; and
 - (3) Mediation looks like it will work (i.e. the versions given by the complainant and respondent tally or almost tally and/or at the very least, it looks as though it will be possible for each party to understand the other party's point of view).

Mediation will not be recommended if:

- (1) The respondent has a completely different version of the events and they won't deviate from these;
- (2) The complainant or respondent are unwilling to attempt mediation; or
- (3) Due to the nature of the complaint, the relationship between you and the respondent(s) and any other relevant factors, the complaint is not suitable for mediation.

If mediation is chosen to try and resolve the complaint, the MPIO or President will, in consultation with the complainant and the respondent(s), arrange for a mediator to mediate the complaint.

The MPIO or President will notify the respondent(s) that a formal complaint has been made, provide them with details of the complaint and notify them the NTBA Inc. has decided to refer the matter to mediation to resolve the complaint.

The mediator's role is to assist the complainant and respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the complainant and respondent(s), will choose the procedures to be followed during the mediation. At a minimum, an agenda of issues for discussion will be prepared by the mediator.

The mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.

At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached between the complainant and respondent(s) and it will be signed by them as their agreement.

If the formal complaint is not resolved by mediation, the complainant may:

Write to the Club President to request that the Club reconsider the complaint in accordance with Step 5; or

Approach an external agency such as an anti-discrimination commission.

Attachment C3: Investigation Process

1. If an investigation needs to be conducted the following steps are to be followed:
 - a. A written brief will be provided to the investigator to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.
 - b. The complainant will be interviewed and the complaint documented in writing.

The details of the complaint will be conveyed to the person/people complained about (respondent(s)) in full. The respondent(s) must be given sufficient information to enable them to properly respond to the complaint.

The respondent(s) will be interviewed and given the opportunity to respond. The respondent(s) response to the complaint will be documented in writing.

If there is a dispute over the facts, then statements from witnesses and other relevant evidence will be obtained to assist in a determination.

The investigator will make a finding as to whether the complaint is:

- (1) substantiated (there is sufficient evidence to support the complaint);
- (2) inconclusive (there is insufficient evidence either way);
- (3) unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
- (4) mischievous, vexatious or knowingly untrue.

A report documenting the complaint, investigation process, evidence, finding and, if requested, recommendations, will be given to the President NTBA Inc of affiliated club President.

A report documenting the complaint and summarising the investigation process and key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous will be provided to the complainant and the respondent(s).

Both the complainant and the respondent(s) are entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other chosen support person/adviser MPIO).

The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Information on our appeals process is in [Attachment C5](#).

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

Attachment C4: Investigation Procedure - Child Abuse

PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au.

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

All people working with Badminton Australia and NTBA Inc in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then President NTBA Inc is also to report the allegation to the CEO of Badminton Australia so that he or she can manage the situation if that is deemed appropriate.

Step 3: Protect the child and manage the situation

The President NTBA Inc (and CEO BA) will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is in paid employment with Badminton Australia.

- The President NTBA Inc (and CEO BA) will consider what services may be most appropriate to support the child and his or her parent/s.
- The President NTBA Inc (and CEO BA) will consider what support services may be appropriate for the alleged offender.
- The President NTBA Inc (and CEO BA) will put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

Up to three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:

- a criminal investigation (conducted by the police) a child protection investigation (conducted by the relevant child protection agency) a disciplinary or misconduct inquiry/investigation (conducted by Badminton Australia).
- Regardless of the findings of the police and/or child protection agency investigations, Badminton Australia will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.
- The President NTBA Inc (and CEO BA) will consider all information relevant to the matter – including any findings made by the police, the child protection authority and/or court – and then set out a finding, recommend actions and the rationale for those actions.
- If disciplinary action is recommended, we will follow the procedures set out in Clause 9 of our Member Protection Policy.

We will provide the relevant government agency with a report of any disciplinary action we take, where this is required.

CONTACT DETAILS for advice or to report an allegation of child abuse

Australian Capital Territory	
ACT Police Non-urgent police assistance Ph: 131 444 www.afp.gov.au	Office for Children, Youth and Family Services www.dhcs.act.gov.au/ocvfs/services/care_and_protection Ph: 1300 556 729
New South Wales	
New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au	Department of Community Services www.community.nsw.gov.au Ph: 132 111
Northern Territory	
Northern Territory Police Non-urgent police assistance Ph: 131 444 www.nfes.nt.gov.au	Department of Children and Families www.childrenandfamilies.nt.gov.au Ph: 1800 700 250
Queensland	
Queensland Police Non-urgent police assistance Ph: 131 444 www.police.qld.gov.au	Department of Communities www.communities.qld.gov.au/childsafety Ph: 1800 811 810
South Australia	
South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au	Department for Education and Child Development www.families.sa.gov.au/childsafes Ph: 131 478
Tasmania	
Tasmania Police Non-urgent police assistance Ph: 131 444 www.police.tas.gov.au	Department of Health and Human Services www.dhhs.tas.gov.au/children Ph: 1300 737 639
Victoria	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 www.police.vic.gov.au	Department of Human Services www.dhs.vic.gov.au Ph: 131 278
Western Australia	
Western Australia Police Non-urgent police assistance Ph: 131 444 www.police.wa.gov.au	Department for Child Protection www.dcp.wa.gov.au Ph: (08) 9222 2555 or 1800 622 258

Other considerations:

Further clarify and investigate the allegation - For allegations of a serious or criminal nature (for example, sexual abuse):

Seek advice from the police and relevant government agency as to whether the NTBA Inc. should carry out its own internal investigation (in addition to any police or relevant government agency investigation).

If the police and/or relevant government agency advises that it is appropriate, then appoint an independent person (where possible) with appropriate expertise to conduct an investigation. The investigator should:

- Contact the parents/carers of the child at an appropriate time and as directed by the police or relevant government agency.
- If appropriate, meet with parents/carers and the child to clarify the incident and offer support on behalf of NTBA Inc. if required (example, professional counselling).
- Meet with the person against whom the allegation refers at an appropriate time and as directed by the relevant authority and give the person an opportunity to explain or respond to the allegation and identify any witnesses and supporting evidence. The person should have an opportunity to invite a support person/adviser to attend at a meeting and should be offered support (example, professional counselling) if necessary.
- Obtain a signed statement and record of interview from the person.
- Make contact with any witnesses and obtain written and signed statements outlining details of the allegation (what happened, when, how). This should only occur following advice from the relevant authority.

Obtain other information that could assist in making a decision on the allegation.

- The information collected during the investigation should be made available to the relevant authorities.
- Strict confidentiality, impartiality, fairness and due process must be maintained at all times.

For allegations of a less serious nature (e.g. verbal abuse):

- Where possible, appoint an independent person with appropriate expertise to make contact and meet with each of the people involved to obtain details of the allegation.
- The investigator should follow the procedure set out in [Attachment C3](#).
- Strict confidentiality, impartiality, fairness and due process must be maintained at all times.

Record and analyse all information

- If an internal investigation was conducted under [Step 4](#), the investigator will provide a report to the President
- The decision-maker(s) will comprise those available members of the Committee and will remain separate and at arm's length from the investigator.
- The available members of the Committee will consider all the information and determine a finding. It will also recommend action and its rationale for the action.

Undertake disciplinary action

- For incidents of a serious or criminal nature, consideration must be given to the findings of the police and/or the government agency before making a decision on disciplinary proceedings.
- If disciplinary action is to be taken, follow the procedures outlined in [Attachment C6](#) of the policy.
- Implement any disciplinary decision recommended by the available members of the Committee. The action should be immediate.

- Check with the relevant state government authority to see if you need to forward a report (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).
- Complete the relevant report form in [Part E](#) of this policy. Retain the original in a secure place and forward a copy to the President NTBA Inc or CEO of the BA as appropriate.

Attachment C5: Hearings & Appeals Tribunal Procedure

2. The following Tribunal Hearing Procedure will be followed by hearings tribunals established by the NTBA Inc.

Tribunal Formation and Notification

3. A Tribunal Panel will be constituted following the rules outlined in NTBA Inc's Constitution, to hear a complaint that has been referred to it by the President.

4. **The President will organise for a Tribunal to be convened by notifying all Tribunal Panel members that they are required to hear a complaint.** The Tribunal Panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the President relating to the complaint/allegations.

5. The Tribunal Hearing will be scheduled as soon as practicable, but must allow adequate time for the person being complained about (respondent(s)) to prepare to respond to the complaint.

6. The number of Tribunal Panel members required to be present throughout the Tribunal Hearing Process will be a minimum of three.

- The Tribunal Panel will not include any person who has any actual or perceived conflict of interest, preconceived opinions, vested interests or personal involvement relating to the complaint.
- The Tribunal Panel will comprise at least one person who has knowledge, and preferably experience, of any relevant laws relating to the complaint (e.g. anti-harassment).
- If a member of the Tribunal Panel cannot continue once the Tribunal Hearing has commenced, and the minimum number required for the Tribunal Hearing is still maintained, the discontinuing member will not be replaced.
- If the specific or minimum number is not maintained, the discontinuing member may be replaced if it is considered appropriate by the Tribunal Chairperson. Factors to consider should include the circumstances of the complaint and the ability of the new Tribunal Panel member to be reasonably and impartially informed of the hearing evidence up until the time of their appointment. If the Tribunal Chairperson believes it is not appropriate for a new Tribunal Panel member to be appointed then the Tribunal will be rescheduled to a later date. The Tribunal Chairperson will inform the President of the need to reschedule, and the President will organise for the Tribunal Hearing, with a new Tribunal Panel to be reconvened.
- The President will inform the respondent(s) by written notification that a tribunal hearing will take place. The written notification will outline:
 - a. That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
 - b. Details of the complaint, including any relevant rules or regulations they are accused of breaching (if there is more than one complaint these should be set out separately);

The date, time and venue of the tribunal hearing;

That they can make either verbal or written submissions to the Tribunal;

That they may arrange for witnesses to attend the Tribunal in support of their position;

An outline of any possible penalties that may be imposed if the complaint is found to be true; and

That legal representation will not be allowed. [If the respondent is considered a minor, they should have a parent or guardian present.]

- A copy of any information / documents that have been given to the Tribunal (eg investigation report findings) will also be provided to the respondent.
- The respondent(s) will be allowed to participate in all NTBA Inc.'s activities and events, pending the decision of the Tribunal, including any available appeal process, unless the President believes it is warranted to exclude the respondent(s) from all or some NTBA activities and events, after considering the nature of the complaint.
- The President will inform the person making the complaint (complainant) by written notification that a tribunal hearing will take place. The written notification will outline:
 - a. That the person has a right to appear at the tribunal hearing to support their complaint;
 - b. Details of the complaint, including any relevant rules or regulations they are accused of breaching (if there is more than one complaint these should be set out separately);

The date, time and venue of the tribunal hearing;

That they can make either verbal or written submissions to the Tribunal;

That they may arrange for witnesses to attend the Tribunal in support of their position; and

That legal representation will not be allowed. [If complainant is considered a minor, they should have a parent or guardian present.]

- A copy of any information / documents that have been given to the Tribunal (eg investigation report findings) will also be provided to the complainant.
- If the complainant believes the details of the complaint are incorrect or insufficient they should inform the President as soon as possible so that the respondent and the Tribunal Panel members can be properly informed of the complaint.

Tribunal Hearing Procedure

- The following people will be allowed to attend the Tribunal Hearing:
 - a. The Tribunal Panel members;
 - b. The respondent(s);

The complainant;

Any witnesses called by the respondent;

Any witnesses called by the complainant;

Any parent / guardian or support person required to support the respondent or the complainant.

- The Tribunal Chairperson will call the hearing to order at the designated time and determine if the respondent(s) is present.
- If the respondent(s) is not present and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been carried out correctly.
- If the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent(s) is presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been carried out correctly, then the Tribunal Hearing will be rescheduled to a later date.
- The Tribunal Chairperson will inform the President of the need to reschedule, and the President will organise for the Tribunal Hearing to be reconvened.
- The Tribunal Chairperson will read out the complaint that is to be judged, ask the respondent(s) if they understand the complaint being made against them, and if they agree or disagree with the complaint.

- If the person agrees with the complaint, they will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures.
- If the person disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - a. Brief notes may be referred to.
 - b. The complainant will be allowed to call witnesses.

The respondent(s) may be allowed to question the complainant and their witnesses.

- The respondent(s) will then be asked to respond to the complaint.
 - a. Brief notes may be referred to.
 - b. The respondent will be allowed to call witnesses.

The complainant may be allowed to ask questions of the respondent and their witnesses.

- Both the complainant and respondent will be allowed to be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the Tribunal Hearing until required.
- The Tribunal will be allowed to:
 - a. consider any evidence, and in any form, that it deems relevant.
 - b. question any person giving evidence.

limit the number of witnesses presented if it is agreed by all parties that they will support the person who requested them, but will not provide any new evidence.

- Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
- If the Tribunal considers that at any time during the Tribunal Hearing that there is any unreasonable or intimidatory behaviour from anyone allowed to be present, the Tribunal Chairperson shall have the power to stop any further involvement of the person in the Tribunal Hearing.
- After all of the evidence has been presented the Tribunal Panel will make its decision in private. If the Tribunal believes the complaint has been substantiated on the balance of probabilities (i.e. more probable than not), the respondent will then be given an opportunity to address the Tribunal Panel and make a submission on any disciplinary measures that may be imposed. Only those disciplinary measures outlined in the NTBA's Constitution / Member Protection Policy will be considered. Any disciplinary measure imposed must be reasonable in the circumstances.
- All decisions made by the Tribunal will be based on a majority vote.
- The Tribunal Chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed.
- Within 48 hours, the Tribunal Chairperson will:
 - c. Forward to the President a copy of the tribunal decision including any disciplinary measures imposed.
 - d. Forward a letter to the respondent(s) reconfirming the Tribunals decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal to be made.

Appeals Procedure

- It is considered good and fair practice to provide a process to appeal against decisions or disciplinary actions imposed. The reasons allowable for an appeal need to be determined e.g. limited to such aspects as a denial of natural justice or an unfair / unreasonable penalty. The ability to, and process of, appealing a decision must therefore be outlined in the Constitution.

- A complainant or a respondent(s) who is not satisfied with a decision described in [Step 7](#) of the Complaints Procedures can lodge one appeal to the NTBA on one or more of the following bases:
 - a. That a denial of natural justice has occurred; or
 - b. That the disciplinary measure(s) imposed is unjust and/or unreasonable.
- A person wanting to appeal in accordance with paragraph 34 must lodge a letter stating their intention and the basis for their appeal with the President within 14 days of the relevant decision.
- If the letter of appeal is not received by the President within the 14 days the right of appeal will lapse.
- Upon receipt of the letter of appeal, the President must convene a special meeting of the Executive Committee to review the letter of appeal and decide whether there are sufficient grounds for the appeal to proceed. The Executive Committee will be able to invite any witnesses to the meeting it believes are required to make an informed decision.
- If it is considered that the letter of appeal has not shown sufficient grounds for appeal in accordance with paragraph 34, then the appeal will not proceed and the person will be notified of this decision and the reasons for this decision.
- If the appeal is considered to have sufficient grounds to proceed then a Tribunal with a new panel will be convened to rehear the complaint. The Appeal Tribunal shall follow the Tribunal Formation and Notification procedures outlined above.
- The Tribunal Hearing Procedure shall be followed for the appeal.
- The decision of the appeal Tribunal will be final.

Attachment C6: Disciplinary Measures

Any disciplinary measure imposed by the President on behalf of NTBA Inc. under this policy must:

- a. Observe any contractual and employment rules and requirements;
- b. Conform to the principles of natural justice;
- c. Be fair and reasonable;
- d. Be based on the evidence and information presented;
- e. Be within the powers of the Tribunal to impose the disciplinary measure.

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:

- a. A direction that the individual make a verbal and/or written apology;
- b. A written warning;
- c. A direction that the individual attend counselling to address their behaviour;
- d. A withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by Badminton Australia;
- e. A demotion or transfer of the individual to another location, role or activity;
- f. A suspension of the individual's membership or participation or engagement in a role or activity;
- g. Termination of the individual's membership, appointment or engagement;
- h. A recommendation that Badminton Australia terminate the individual's membership, appointment or engagement;
- i. In the case of a coach or official, a direction that the relevant organisation de- register the accreditation of the coach or official for a period of time or permanently;
- j. A fine;
- k. Any other form of discipline that CEO considers appropriate.
- l. When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by that individual in the future may result in the imposition of a more serious form of discipline.

Organisations

If a finding is made that a member or affiliated organisation has breached the NTBA's Member Protection Policy] (including the Codes of Conduct), one or more of the following forms of discipline may be imposed by the Tribunal:

- a. A written warning;
- b. A monetary fine;
- c. A direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;
- d. A direction that any funding granted or given to it by the [national body or a peak association] cease from a specified date;
- e. A direction that the [national body and peak associations] cease to sanction events held by or under the auspices of that organisation;
- f. A recommendation to [the national body and/or the association] that its membership of the [national body or peak association] be suspended or terminated in accordance with the relevant constitution or rules; and/or

- g. Any other form of discipline that the national body or peak organisation considers to be appropriate.
- h. When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by the organisation in the future may result in more serious form of discipline.

Factors to consider when imposing discipline

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

- a. Nature and seriousness of the behaviour or incidents;
- b. In a case where action is taken concurrently with or in lieu of a resolution of a formal complaint, the wishes of the complainant;
- c. If the individual concerned knew or should have known that the behaviour was a breach of the policy;
- d. Level of contrition of the respondent(s);
- e. The effect of the proposed disciplinary measures on the respondent(s) including any personal, professional or financial consequences;
- f. If there have been relevant prior warnings or disciplinary action; and/or
- g. If there are any mitigating circumstances such that the respondent(s) shouldn't be disciplined at all or not disciplined so seriously.
- h. If the individual is a parent and/or spectator (ability to enforce a penalty may be difficult).
- i. Any other mitigating circumstances.

PART D – ROLE SPECIFIC CODES OF BEHAVIOUR

Administrator Code of Behaviour

4. In addition to *NTBA Inc* 's General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of *NTBA Inc* , a member association or an affiliated club and in your role as an administrator of *NTBA Inc* , a member association or an affiliated club:

- a. Resolve conflicts fairly and promptly through established procedures.
- b. Maintain strict impartiality.
- c. Be aware of your legal responsibilities

Coach Code of Behaviour

5. In addition to *NTBA Inc* 's General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by *NTBA Inc* , a member association or an affiliated club and in your role as a coach appointed by *NTBA Inc* , a member association or an affiliated club:

- a. Do not tolerate acts of aggression.
- b. Provide feedback to players and other participants in a manner sensitive to their needs. Avoid overly negative feedback.
- c. Recognise players' rights to consult with other coaches and advisers. Cooperate fully with other specialists (for example, sports scientists, doctors and physiotherapists).
- d. Treat all players fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status and other conditions.
- e. Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
- f. Involve the players in decisions that affect them.
- g. Encourage players to respect one another and to expect respect for their worth as individuals regardless of their level of play.
- h. Ensure that the tasks and/or training set are suitable for age, experience, ability, and physical and psychological conditions of the players.
- i. Ensure any physical contact with players is appropriate to the situation and necessary for the player's skill development.
- j. Be acutely aware of the power that you as a coach develop with your players in the coaching relationship and avoid any sexual intimacy with players that could develop as a result.
- k. Avoid situations with your players that could be construed as compromising.
- l. Actively discourage the use of performance enhancing drugs, and the use of alcohol, tobacco and illegal substances.
- m. Do not exploit any coaching relationship to further personal, political or business interests at the expense of the best interest of your players.
- n. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules.

- o. Know and abide by rules, regulations and standards, and encourage players to do likewise. Accept both the letter and the spirit of the rules.
- p. Be honest and ensure that qualifications are not misrepresented.

Official's Code of Behaviour

6. In addition to *NTBA Inc's* General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by *NTBA Inc* , a member association or an affiliated club and in your role as an official appointed by *NTBA Inc* , a member association or an affiliated club:

- a. Place the safety and welfare of the players/participants above all else.
- b. Accept responsibility for all actions taken.
- c. Be impartial.
- d. Avoid any situation which may lead to a conflict of interest.
- e. Be courteous, respectful and open to discussion and interaction.
- f. Value the individual in sport.
- g. Seek continual self improvement through study, performance appraisal and regular updating of competencies
- h. Encourage inclusivity and access to all areas of officiating
- i. Be a positive role model in behaviour and personal appearance
- j. Refrain from any form of personal abuse towards athletes
- k. Refrain from any form of sexual harassment towards athletes
- l. Show concern and caution towards sick and injured athletes

Officials have the right to expect that:

- a. their health and safety are paramount
- b. they are treated with respect and openness
- c. they are appointed to a level of competition appropriate to their level of competence
- d. they have access to self improvement opportunities

Player Code of Behaviour

7. In addition to *NTBA Inc 's* General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by *NTBA Inc* , a member association or an affiliated club and in your role as a player/participant in any activity held by or under the auspices of *NTBA Inc* , a member association or an affiliated club:

- a. Respect the rights, dignity and worth of fellow players, coaches, officials and spectators.
- b. Do not tolerate acts of aggression.
- c. Act with due care towards others and your safety by assisting to keep the courts clear of debris.
- d. Avoid walking on a court that is in use by others; this is basic good manners, safe practice and etiquette for our sport.
- e. Respect the talent, potential and development of fellow players and competitors.

- f. Care for and respect the equipment provided to you as part of your program.
- g. Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
- h. At all times avoid intimate relationships with your coach.
- i. Conduct yourself in a professional manner relating to language, temper and punctuality.
- j. Maintain high personal behaviour standards at all times; acknowledge your opponents skill and sportsmanship. Do not use violence, harassment or abuse in any form (that is, do not use foul language, sledge or harass players, coaches, officials or other spectators).
- k. Abide by the rules and respect the decision of the official, making all appeals through the formal process and respecting the final decision. When playing in a social setting abide the decisions of those in a better position to make a `line call`.
- l. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
- m. Cooperate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.

Parent/Guardian Code of Behaviour

8. As a parent/guardian of a player/participant in any activity held by or under the auspices of *NTBA Inc*, a member association or an affiliated club, you must meet the following requirements in regard to your conduct during any such activity or event:
- a. Respect the rights, dignity and worth of others.
 - b. Remember that your child participates in sport for their own enjoyment, not yours.
 - c. Focus on your child's efforts and performance rather than winning or losing.
 - d. Never ridicule or yell at your child and other children for making a mistake or losing a competition.
 - e. Show appreciation for good performance and skilful plays by all players (including opposing players).
 - f. Demonstrate a high degree of individual responsibility especially when dealing with or in the vicinity of persons less than 18 years of age, as your words and actions are an example.
 - g. Respect officials' decisions and teach children to do likewise.
 - h. Do not physically or verbally abuse or harass anyone associated with the sport (player, coach, umpire and so on).
 - i. Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.
 - j. Be a positive role model.
 - k. Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

Spectator Code of Behaviour

9. As a spectator in any activity held by or under the auspices of *NTBA Inc*, a member association or an affiliated club, you must meet the following requirements in regard to your conduct during any such activity or event:

- a. Respect the decisions of officials and teach young people to do the same.
- b. Never ridicule or scold a young player for making a mistake. Positive comments are motivational.

Condemn the use of violence in any form, whether it is by other spectators, coaches, officials or players.

Show respect for your team's opponents. Without them there would be no game.

Do not use violence, harassment or abuse in any form (that is, do not use foul language, sledge or harass players, coaches, officials or other spectators).

Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

PART E – ATTACHMENTS: REPORTING DOCUMENTS/FORMS

The Following report forms are included for reference and use as necessary:

- [E1 Record of Informal Complaint](#)
- [E2 Record of Formal Complaint](#)
- [E3 Record of Child Abuse Allegation](#)
- [E4 Record of Mediation](#)
- [E5 Record of Tribunal Decision](#)

Attachment E1 - Confidential Record of Informal Complaint

Name of person receiving complaint			Date: / /
Complainant's Name	Over 18	Under 18	
Role/status	Administrator (volunteer) Athlete/player Coach/Assistant Coach Employee (paid) Official	Parent Spectator Support Personnel Other	
When/where did the incident take place?			
What are the facts relating to the incident, as stated by complainant?			
What is the nature of the complaint? (category/basis/grounds) Tick more than one box if necessary	Harassment or Sexual/sexist Sexuality Race Religion Pregnancy Other	Discrimination Selection dispute Personality clash Bullying Disability Child Abuse	Coaching methods Verbal abuse Physical abuse Victimisation Unfair decision
What does the complainant want to happen to resolve the issue?			
What other information has the complainant provided?			
What is the complainant going to do now?			

This record and any notes must be kept in a confidential and safe place. Do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be given to the CEO. BA and/ or President NTBA Inc as appropriate.

Attachment E2 - Confidential Record of Formal Complaint

Complainant's Name	Over 18 Under 18	Date Formal Complaint Received: / /
Complainant's contact details	Phone: Email:	
Complainant's role/position	Administrator (volunteer) Athlete/player Coach/Assistant Coach Employee (paid) Official	Parent Spectator Support Personnel Other
Name of person complained about (respondent)	Over 18	Under 18
Respondent's role/position	Administrator (volunteer) Athlete/player Coach/Assistant Coach Employee (paid) Official	Parent Spectator Support Personnel Other
Location/event of alleged incident		
Description of alleged incident		
Nature of complaint (category/basis/grounds) Tick more than one box if necessary	Harassment or Sexual/sexist Sexuality Race Religion Pregnancy Other	Discrimination Selection dispute Personality clash Bullying Disability Child Abuse Coaching methods Verbal abuse Physical abuse Victimisation Unfair decision
Methods (if any) of attempted informal resolution		

Formal resolution procedures followed (outline)	
If investigated:	Finding
If heard by Tribunal:	Decision Action recommended
If mediated:	Date of mediation: Both/all parties present Agreement Any other action taken
If decision was appealed	Decision Action recommended
Resolution	Less than 3 months to resolve Between 3 – 8 months to resolve More than 8 months to resolve
Completed by	Name: Position: Signature: Date / /
Signed by:	Complainant: Respondent:

Attachment E3 - Confidential Record of Child Abuse Allegation

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

Complainant's Name (if other than the child)		Date Formal Complaint Received: / /
Role/status in <i>[sport]</i>		
Child's name		Age:
Child's address		
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)		
Name of person complained about		
Role/status in <i>[sport]</i>	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	
Government agency contacted	Who: When: Advice provided:	

CEO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position in [SO]: Signature: / /
Signed by	Complainant (if not a child)

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

Attachment E4 – Confidential Record of Mediation

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

[insert sentence on who is to receive a copy and where you want the original stored]

Attachment E5 - Confidential Record of Tribunal Decision

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

Tribunal Hearing Date and venue	
Tribunal Decision (attach report)	
Action recommended and any follow up report required	
Decision Appealed Date of Appeal lodged	
Appeal Hearing Date	
Appeal Decision (attach report)	
Action Recommended	
Completed by	Name: Position in [SO]: Signature: / /
Signed by:	Complainant Respondent



NTBA Inc Complaints Flowchart

- It is important that issues be raised as early as possible, that the complainant and the Club have the opportunity to address the matters and respond appropriately. The President and MPIO are to be vigilant to signs of concern by members, be approachable and deal with issues impartially whilst ensuring that the confidentiality and privacy of the complainant/s and respondent/s are respected. It may be necessary to assign suitable committee members to act as MPIO/aides to the complainant and respondent in order to facilitate the investigation and resolution of an incident.
- If there is a suggestion that there has been a breach of the law then the matter ought to be reported to the Police with the appropriate jurisdiction

Complaints Flowchart

If you need information, advice, to make a complaint or to raise a concern in relation to inappropriate behaviour in sport (such as harassment, discrimination or abuse), this chart may assist in working out who to contact and how. Start at the level (club, state or national) that the incident occurred.

