



# **MEMBER PROTECTION**

## **POLICY**

**January 2021**



## CONTENTS

## PAGE

POLICY		
1.	Introduction	3
2.	Purpose of Our Policy	3
3.	Who Our Policy Applies To	3
4.	Extent of Our Policy	3
5.	Club Responsibilities	3
6.	Individual Responsibilities	4
7.	Protection of Children	4
	7.1 Purpose	4
	7.2 <i>Policy Statement</i>	4
	7.3 <i>Engagement of Employees and Volunteers</i>	5
	7.4 Training	6
	7.5 Behavioural Standards	6
	7.6 Classes and Club Events	6
	7.7 Competitions	7
	7.8 Reporting Obligations	7
	7.9 Breaches of this policy	8
8.	Discrimination, Harassment and Bullying	8
	8.1 Discrimination	8
	8.2 Harassment	8
	8.3 Bullying	9
9.	<i>Inclusive Practices</i>	9
	9.1 <i>People with a Disability</i>	9
	9.2 <i>People from Diverse Cultures</i>	10
	9.3 <i>Sexual &amp; Gender Identity</i>	10
	9.4 <i>Pregnancy</i>	10
	9.5 <i>Boys competing in a girls competition</i>	10
10.	Responding to Complaints	10
	10.1 Complaints	10
	10.2 Complaint Handling Process	11
	10.3 Disciplinary Measures	11
	10.4 Appeals	12
	<b>Attachment 1: Working With Children Check Requirements</b>	
	<b>Attachment 2: APDA Codes of Conduct</b>	
	<b>Attachment 5: Reporting Requirements and Documents</b>	

## **1. Introduction**

SC Physie and Dance's mission is to provide a rewarding experience with physie and dance. We promote fitness and a general sense of well-being, self-worth and community. SC Physie and Dance embraces people of all ages and all abilities allowing everyone to express themselves through movement and dance. SC Physie and Dance values each and every participant and hopes to achieve fairness, safety and equity for all.

## **References -**

This policy should be read in conjunction with –

- SCPD Social Media Policy 2021
- APDA Individual Member Rules 2020
- APDA Social Media Policy 2020
- APDA Codes of Conduct 2020 (attachment 2)

## **2. Purpose of Our Policy**

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

## **3. Who Our Policy Applies To**

This policy applies to everyone involved in the activities of our club whether they are in a paid or unpaid/voluntary capacity and including committee members, teachers, assistant teachers, members, parents and spectators.

## **4. Extent of Our Policy**

Our policy covers all matters directly and indirectly related to SC Physie and Dance and its activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of behaviour and behaviour that occurs in class, at meetings, at social events organised or sanctioned by SC Physie and Dance. It also covers private behaviour where that behaviour brings our club or sport into disrepute or there is suspicion of harm towards a child or young person.

## **5. Club Responsibilities**

We will:

- adopt, implement and comply with this policy and ensure that this policy is enforceable;
- publish, distribute and promote this policy and the consequences of any breaches of this policy;
- promote and model appropriate standards of behaviour at all times;
- deal with any complaints made under this policy in an appropriate manner;
- deal with any breaches of this policy in an appropriate manner;
- recognise and enforce any penalty imposed under this policy;
- ensure that a copy of this policy is available and accessible;
- review this policy every 12-18 months; and
- seek advice from and refer serious issues to our association- Australian Physie & Dance.

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse).

## **6. Individual Responsibilities**

Everyone associated with SC Physie and Dance must:

- make themselves aware of the contents of this policy;
- comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- consent to the screening requirements set out in this policy, and any state or territory Working with Children checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18, or where otherwise required by law;
- treat other people with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour; and
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment, bullying or other inappropriate behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this policy.

## **7. Protection of Children**

### **7.1 PURPOSE**

This Child Safety Policy is issued by Shellharbour City Physie and Dance Incorporated for the purpose of outlining its standards and procedures for ensuring child safety, in line with APDA Ltd's requirement that all member clubs have suitable child protection policies and procedures.

#### *OBJECTIVES*

The objectives of this Policy are to:

- a) Provide guidance on reporting obligations for those adults within the Club who know or suspect that a child within the Club is or has been subjected to child abuse;
- b) Outline the Club's requirements for adults, both employees and volunteers, who work with children within the Club to undergo appropriate checks and hold necessary clearances for working with children and vulnerable people, and to undertake appropriate training on child protection;
- c) Outline the Club's standards of conduct when dealing with children.

#### *APPLICATION*

This policy applies to everyone involved in the Club, including individual members, teachers (registered and assistant), parents and guardians of members, club office holders, contractors and volunteers.

This policy will continue to apply retrospectively to a person following the end of their association or employment with the Club. This means that, even if a person is no longer club member (or parent/guardian), teacher or volunteer with the Club, and there are concerns about that person's behaviour towards a child, that person's behaviour may be dealt with in accordance with this policy.

This document is for general publication to everyone involved in the Club.

This document should be read in conjunction with the APDA Ltd Child Safety Policy.

### **7.2 POLICY STATEMENT**

- a) Shellharbour City Physie and Dance Inc. is committed to providing a safe and positive environment, as far as reasonably practicable, for its members, particularly children, to experience physie and dance.

- b) Shellharbour City Physie and Dance Inc. considers that the health, safety and wellbeing of children takes priority over all other competing considerations. The Club considers that this is necessary to ensure the health, safety and welfare of all its members, and to protect the image and reputation of the sport, the Club, and APDA Ltd.
- c) Shellharbour City Physie and Dance Inc has a zero tolerance approach to child abuse and is committed to protecting children from abuse and neglect to the greatest extent possible.
- d) Shellharbour City Physie and Dance Inc recognises that its teachers, officials and volunteers are in a privileged position to have a positive influence in the lives and experiences of its child members, and that teachers and others can be a safe avenue for a child to report child abuse that occurs either within the Club, APDA Ltd, or outside these organisations. It is important the teachers, officials and volunteers have appropriate guidance and support to manage such reports, in order to support child members of the Club.
- e) Shellharbour City Physie and Dance Inc supports the active participation of all children. It listens to their views, respects what they say, and involves them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety).

### **7.3 ENGAGEMENT OF EMPLOYEES AND VOLUNTEERS**

- a) Shellharbour City Physie and Dance Inc requires that the following people, whether paid or volunteer, have a 'working with children' clearance, in accordance with the relevant NSW legislation:
  - Registered Teachers
  - Assistant Teachers, over the age of 18
  - Office holders and committee members
  - Judges
  - Volunteers who may have unsupervised access to children
  - Contractors
  - Parent helpers at competitions (including interclubs hosted by the Club, and zone and national competitions)
- b) The Executive Committee may require other adults involved in the club, who may have unsupervised access to children, to hold a 'working with children' clearance.
- c) If there are costs associated with obtaining or renewing a 'working with children' clearance, the Club will meet the cost of that clearance.
- d) If you are required to have a 'working with children' clearance under this policy, and your clearance is suspended, revoked or it expires without being renewed, you must advise the Executive committee as soon as reasonably practicable (usually, as soon as you become aware). The Club will advise APDA Ltd of the suspension.

If this happens, you must not engage with children within the Club (or more broadly within APDA Ltd) without an adult present, unless and until your clearance is reinstated.

If your clearance has been suspended or revoked for any reason (including if you are under investigation by the relevant NSW authority), the Executive Committee and/or APDA Management may decide to suspend or terminate your individual membership with APDA, or Registered or Assistant Teacher status, or other appropriate action.

- e) Shellharbour City Physie and Dance Inc will ensure that any new teachers, contractors, office holders, employees or volunteers are not engaged until appropriate screening

activities are completed. This will include confirming that the individual has a 'working with children' clearance by checking with the relevant NSW authority. It may also include:

- Police or criminal history check;
- Interview;
- Referee checks.

The Executive Committee will decide what checks are necessary, depending on how regularly the person will be involved in club activities, what opportunity they will have for unsupervised access to children, and the person's history with the club.

- f) The Executive Committee will ensure that all new/prospective and existing teachers, employees, contractors, volunteers and office holders have access to this policy, and have read and understood it as part of the engagement process.

#### **7.4 TRAINING**

- a) Shellharbour City Physie and Dance Inc supports its Registered and Assistant Teachers, Club Principals and Office Holders to undertake training relating to child protection. Where APDA Ltd requires or facilitates training, the Club will ensure that these people undertake that training, whether in person through some other method, and if a person fails to do so, the Executive Committee will require that the person stands down from their role until the training is complete.

#### **7.5 BEHAVIOURAL STANDARDS**

- a) Members involved with Shellharbour City Physie and Dance Inc. must comply with behavioural standards set by APDA Ltd (under the APDA Child Safety Policy, APDA Code of Conduct, and Social Media Policy).
- b) Adults involved with Shellharbour City Physie and Dance Inc. must comply with behavioural standards set by Shellharbour City Physie and Dance Inc. (under the APDA Child Safety Policy, APDA Code of Conduct, and Social Media Policy).

#### **7.6 CLASSES AND CLUB EVENTS**

- a) Parents/guardians must come into the class venue to collect children after class. Children must be collected immediately at the end of class, as teachers cannot properly supervise children from earlier classes while teaching other classes.

Teachers will remind children not to leave the class venue until their parent/guardian has come in to collect them (unless, for example, the child knows that they are to go home with a classmate).

- b) Photos and videos (including live stream videos to social media) are not to be taken in class without the permission of the class teacher. The class teacher will not grant permission if there are children who are unable to have their image published on social media. If permission is granted, a parent/guardian must ensure they only photograph or video their own child.

If you inadvertently photograph or video a child other than your own in class, you must not use or publish the photo or video without the consent of the other child's parent/guardian.

- c) If your child attends a private lesson, you will need to be present during the lesson, unless you know in advance there will be more than one adult present at the class (e.g. if there will be two teachers present with your child).

- d) Teachers will ensure that physical contact with students is necessary and appropriate (e.g. to correct a position or ensure the student is safe while stretching), and will explain the physical contact to the student.
- e) Teachers will respect boundaries set by children (particularly Tiny Tots and very young students), and will not force physical contact during class, and will also respond appropriately to a child who might be affectionate towards a teacher in class (e.g. by not embarrassing them or rejecting them).
- f) Shellharbour City Physie and Dance Inc. will ensure there are appropriate arrangements for leotard try-ons, including ensuring that there are private change areas for children who wish to use them and ensuring that only known adults attend try-ons. Shellharbour City Physie and Dance Inc. does not permit photos or videos during leotard try-ons.
- g) Shellharbour City Physie and Dance Inc. does not permit alcohol during classes or competitions. Social events run or encouraged by the Club will be managed to carefully consider the availability of alcohol and suitability of activities while children are present.

## 7.7 COMPETITIONS

- a) Adults involved with Shellharbour City Physie and Dance Inc. must comply with Competition and Event Conduct standards set out in section CP3.3 of the APDA Child Safety Policy, and in particular, must have regard to rules about:
  - access to marshalling areas;
  - photography and videoing;
  - not having alcohol at competitions.
- b) If Shellharbour City Physie and Dance Inc. agrees to help your child with travel or attendance at competitions without you (the parent/guardian) being present, then:
  - You will need to make arrangements with the responsible Club adult in advance of the competition – please do not assume that the Shellharbour City Physie and Dance Inc. will be able to assist in all cases;
  - You will need to meet costs necessary to ensure that your child has their own room, and is not required to share sleeping arrangements with an adult;
  - The responsible adult, and other adults associated with Shellharbour City Physie and Dance Inc. , will not be alone in accommodation or other rooms with your child without another adult present;
  - You will need to enter into a written arrangement with the responsible Club adult about the travel or competition arrangements.

## 7.8 REPORTING OBLIGATIONS

- a) In the course of your involvement with Shellharbour City Physie and Dance Inc. you may reasonably believe that a child member of Shellharbour City Physie and Dance Inc. needs protection from child abuse.

If this happens and:

- You are a mandatory reporter, then you must report the matter in line with your professional reporting obligations.
- You are not a mandatory reporter, then you may make a voluntary report about the matter.

Note: in some jurisdictions it is an offence if you don't report a sexual offence against a child. If you are unsure whether you should report suspected child abuse, then you should contact the relevant NSW child protection agency or the police.

- b) If you believe that a child is in immediate danger, then you should call '000'. If a report is less time-critical, you can report to either your local police, or to the relevant NSW child protection agency.
- c) The APDA Procedure for Handling Allegations of Child Abuse provide further information on when APDA Ltd must be notified of a report being made about suspected child abuse.

*How will Shellharbour City Physie and Dance Inc. approach reports of abuse?*

- a) Shellharbour City Physie and Dance Inc. supports and encourages a person to report suspected child abuse in accordance with this policy, if they form a reasonable belief about suspected child abuse, and make the report in good faith to the appropriate authorities. This support applies regardless of whether the alleged offender is a teacher or member of Shellharbour City Physie and Dance Inc. or is someone outside of Shellharbour City Physie and Dance Inc.
- b) A person who makes a report in accordance with this policy will not be penalised by Shellharbour City Physie and Dance Inc. or by APDA Ltd. In particular, a report will not constitute a breach of privacy by the person who makes the report.
- c) If an allegation is made against an employee or volunteer of Shellharbour City Physie and Dance Inc, the Club and APDA will follow the APDA Procedure for Handling Allegations of Child Abuse, and APDA and Shellharbour City Physie and Dance Inc. will take all steps to ensure that the safety of the child is paramount.
- d) Shellharbour City Physie and Dance Inc. will keep appropriate records of any reports of abuse.

## **7.9 BREACHES OF THIS POLICY**

- a) If you don't comply with this policy, your behaviour may be in breach of the APDA Code of Conduct (see Attachment 2) (as the behavioural standards here are consistent with the APDA requirements), and you may be investigated in accordance with the APDA Dispute Resolution Policy.
- b) In addition to action taken by APDA Ltd, Shellharbour City Physie and Dance Inc. may also take whatever action it considers necessary and/or appropriate in the circumstances.

## **8. Discrimination, Harassment and Bullying**

Our club is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination, harassment and bullying.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against, harassed or bullied.

### **8.1 Discrimination**

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

Discrimination includes both direct and indirect discrimination:

- **Direct discrimination** occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.

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

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

## 8.2 Harassment

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

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

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

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

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

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

Legislation also prohibits:

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

## 8.3 Bullying

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

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

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

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

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

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. SC Physie and Dance will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. (Refer to Item 10 of this policy.)

## **9. Inclusive practices**

*Our club is welcoming and we will seek to include members from all areas of our community. The following are examples of some of our inclusive practices.*

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

SC Physie and Dance will not discriminate against any person because they have a disability. Where it is necessary, we will make reasonable adjustments (e.g. modifications to equipment and rules) to enable participation.

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

SC Physie and Dance will support, respect and encourage people from diverse cultures and religions to participate in our club and where possible we will accommodate requests for flexibility (e.g. modifications to uniforms).

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

Whilst Physie and Dance is a predominantly female sport we will attempt to accommodate males if they wish to participate. All people, regardless of their sexuality or gender identity, are welcome at our club. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.

### **9.4 Pregnancy**

SC Physie and Dance is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our club's activities. We will not tolerate any discrimination or harassment against pregnant women.

SC Physie and Dance will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to

obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with SC Physie and Dance. We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person bound by this policy, she may make a complaint (see section 10).

## **10. Responding to Complaints**

### **10.1 Complaints**

SC Physie and Dance takes all complaints about in and out of class behaviour seriously. Our club will handle complaints based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously;
- the person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and
- any penalties imposed will be reasonable.

More serious complaints may be escalated to APDA- Australian Physie and Dance Association.

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

### **10.2 Complaint Handling Process**

When a complaint is received by SC Physie and Dance, the person receiving the complaint (e.g. Head teacher, the President or Executive committee) will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- ask what the complainant, how they would like their concern to be resolved and if they need any support;
- explain the different options available to help resolve the complainant's concern;
- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, maintain confidentiality but not necessarily anonymity.

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

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

In situations where a complaint is referred to APDA, the club will:

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

At any stage of the process, a person can seek advice from an anti-discrimination commission or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the anti-discrimination commission or other external agency.

### **10.3 Disciplinary Sanctions**

SC Physie and Dance may take disciplinary action against anyone found to have breached our Member Protection policies including SCPD Social Media policy or APDA's Code of Conduct, Individual Membership rules, Social Media Code of conduct policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

- be applied consistent with any contractual and employment rules and requirements;
- be fair and reasonable;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined by our constituent documents, by Laws and APDA Policies.

Possible sanctions that may be taken include:

- a direction that the individual make verbal and/or written apology;
- counselling of the individual to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any competitions held or sanctioned by our club or APDA;
- suspension or termination of membership, participation or engagement in a role or activity;
- a fine; or
- any other form of discipline that our club considers reasonable and appropriate.

### **10.4 Appeals**

The complainant or respondent may be entitled to lodge an appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by our club) to APDA. Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.

## **Attachment 1: WORKING WITH CHILDREN CHECK REQUIREMENTS**

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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](http://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.

### **New South Wales**

Contact the Office of the Children's Guardian

Website: [www.kidsguardian.nsw.gov.au/check](http://www.kidsguardian.nsw.gov.au/check)

Phone: 02 9286 7276

### **Travelling to other states or territories**

It is important to remember that when travelling to other states or territories, representatives of sporting organizations must comply with the legislative requirements of that particular state or territory.

In certain jurisdictions, temporary, time limited exemptions from working with children checks may be available for interstate visitors with a Working with Children Check in their home state.

The laws providing interstate exemptions are not consistent across Australia.

If an employee or volunteer for your club is travelling interstate to do work that would normally require a working for children check, you will need to check the relevant requirements of that state or territory.

## **Attachment 2: APDA CODE OF CONDUCT**

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### **CODE OF CONDUCT PURPOSE**

This Code of Conduct is issued by the Board under clause 12.2 of the APDA Limited Constitution approved in October 2018, for the purposes of outlining the minimum standards of conduct for anyone involved with APDA Ltd.

### **OBJECTIVES**

The objectives of these Rules are to:

- a) Ensure consistent and appropriate standards of behaviour for everyone involved in APDA, to promote a safe and harmonious environment across APDA Ltd.
- b) ensure that the Board and Management of APDA Ltd have appropriate discretion to take decisions regarding the conduct of those involved with APDA, in the best interests of APDA Ltd.

### **APPLICATION**

The Code of Conduct applies to everyone involved in APDA, including individual members, teachers (registered or assistant), parents and guardians of members, officials and administrators, judges and volunteers. This document is for general publication, although if you are referring to a downloaded or printed version of the policy you should check that you have the most recent version.

### **REFERENCES**

This document is to be read in conjunction with:

- a) APDA Individual Member Rules
- b) APDA Teachers Rules
- c) APDA Social Media Policy
- d) APDA Competition Rules
- e) APDA Ltd Constitution .....

### **CC1 – General rules for everyone**

- a) Act within the rules and the spirit of the rules of APDA at all times.
- b) Promote fair play, equality, and friendships over winning at any cost.
- c) Encourage and support opportunities for people to learn appropriate behaviours and skills.
- d) Support opportunities for participation in all aspects of APDA.
- e) Show respect and courtesy for all involved in APDA.
- f) Respect the decisions of judges, officials, teachers, administrators, APDA Management and Board.
- g) Where practical, avoid unaccompanied and/or unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance exists) with people under the age of 18
- h) Display appropriate and responsible behaviour in all interactions.
- i) Display responsible behaviour in relation to alcohol and other drugs, noting that all APDA events (including classes and competitions) are alcohol-free events.
- j) Ensure your actions and decisions contribute to a safe and harassment-free environment.
- k) Do not tolerate abusive, bullying, or threatening behaviour.

### **CC2 – Individual members**

- a) Give your best at all times.
- b) Participate for your own enjoyment and benefit.
- c) Abide by the rules (including competition rules, individual member rules, and social media policy), and show respect for your fellow club members, other competitors, teachers, judges and officials.
- d) Be a positive ambassador for your club and APDA by encouraging everyone and being respectful to the people you meet at physie.
- e) Demonstrate good sportsmanship, and respect the decisions of judges and officials.

### **CC3 – Teachers**

- a) Place the safety and welfare of all individual members above all else.

- b) Help each individual member to reach their potential. Respect the talent, developmental stage and goals of each person and encourage them with positive and constructive feedback, and respect the wishes of members who participate for fun and fitness rather than competition.
- c) Obtain appropriate qualifications where possible, and keep up to date with the latest teaching practices, and the principles of growth and development of young members.
- d) Maintain the 'working with vulnerable people' clearance required by the State or Territory legislation that applies to your club.
- e) Know and understand the rules of APDA, including competition rules, and abide by them at all times.
- f) Ensure that any physical contact with another person is appropriate to the situation and necessary for the person's skill development (or necessary for a person's safety, having regard to the situation).
- g) Model appropriate, positive, respectful behaviour towards individual members, competitors, teachers, judges and officials, and parents/guardians of members, regardless of their club.
- h) Ensure that your behaviour is always at a standard that justifies your position of influence within APDA and your club, and that you present as a good ambassador for APDA and your club at all times.

### **CC3 – Judges**

- a) Uphold the highest standards of integrity, honesty, confidentiality and equality at all times.
- b) Ensure that your behaviour is always at a standard that justifies your position of influence within
- c) Declare real and potential conflicts of interest to APDA when being considered for judging appointments.
- d) Undertake the required initial and ongoing training required for APDA judges, and volunteer your time to judge where possible to maintain and improve your judging abilities.
- e) Judge in accordance with ADPA judging guidelines, ensuring that you judge consistently, impartially and objectively when making decisions, and that your judging does not discriminate based on irrelevant factors such as race, cultural background, sexuality or religion.

### **CC4 – Officials and administrators**

- a) Ensure quality supervision and instruction for all individual members of APDA, having regard to the welfare and safety of all members.
- b) Support teachers, judges and officials to improve their skills and competencies.
- c) Act honestly, in good faith and in the best interests of APDA Ltd as a whole.
- d) Ensure that information obtained in your official role for APDA Ltd is used for proper purposes, and that you do not gain improper advantage for yourself or others because of your official role. Comply with APDA guidelines on conflict of interest.
- e) Conduct your role and undertake your responsibilities with due care, diligence and competence.
- f) Ensure your behaviour is always at a standard that justifies your position of influence within APDA.

### **CC5 – Parents and guardians**

- a) Encourage your child to participate, do their best, and have fun.
- b) Focus on your child's effort and performance, rather than winning or losing.
- c) Never ridicule or yell at a child for making a mistake or for not achieving a particular result in a competition.
- d) Model appropriate behaviours and sportsmanship, including respect for other competitors and students, members and spectators from other clubs, and APDA teachers, officials and judges.
- e) Ensure that you and your child comply with APDA rules, including competition rules, social media policy, and spectators' code of conduct.
- f) Report instances of inappropriate behaviour within your club or APDA to appropriate officials (including competition officials, or in accordance with APDA's Dispute Resolution policy).
- g) Respect the decisions, actions and efforts of your child's teacher, judges and officials.

### **CC6 - What happens if you don't comply with this Code of Conduct?**

It is a condition of ongoing membership with APDA (as an individual member, teacher) that you comply with this Code of Conduct. Failure to meet the minimum standards of behaviour outlined here might have a range of consequences, including:

a) You might be issued with a formal warning or reminder about appropriate conduct; b) You might be asked to issue an apology to another person, if your inappropriate conduct has affected them negatively;

c) You might be removed from a position with APDA (for example, a role as an official or volunteer);

d) You might be excluded from APDA events, including competitions (either as a spectator or as a competitor);

e) In the most serious of cases, your registration with APDA might be suspended or terminated, in accordance with the Individual Member Rules or Teachers Rules, as relevant. Other consequences may be applied, depending on the nature and seriousness of the matter and the impact on APDA and its members.

Note: It is important to remember that, if you are a parent or guardian responsible for the registration of a member under the age of 18, your conduct might result in sanctions for your child. For example, if you demonstrate inappropriate behaviour towards others at APDA events, both you and your child may be excluded from events or competitions.

### **CC7 – How does APDA decide whether there has been a breach of the Code of Conduct, and how does APDA decide what to do if there is a breach?**

A complaint or allegation of inappropriate behaviour can be made in accordance with the APDA Dispute Resolution Policy, and any complaints or allegations will be dealt with in accordance with that policy. The Dispute Resolution Policy sets out how a matter will be investigated, what you would be told while a matter is under investigation (if you are the subject of a complaint or allegation), and how a matter might be resolved (noting the potential consequences outlined at rule CC6 in this policy). It is important to note that, wherever this Code of Conduct or the Dispute Resolution Policy require decisions about whether or not behaviour is appropriate, and what sanction to apply for breaches, the APDA Board and Management team will make decisions that are considered to be in the best interests of APDA as a whole. The Board and Management team have discretion to take into account whatever information is considered necessary to support a decision being made in the best interests of ADPA.

## **SPECTATOR BEHAVIOUR**

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### OUR COMMITMENT

SC Physie and Dance is committed to providing a safe environment for participation. Aggressive, threatening or other inappropriate behaviour by members, their families, their friends, and other sporting personnel while attending lessons or competitive events will not be tolerated.

These behaviours are outlined in our Code of Conduct and specifically include:

- Using bad language
- Harassing or ridiculing members, teachers, judges, officials or other spectators
- Making racist, religious, sexist or other inappropriate comments to members, teachers, judges or other spectators
- Any threatening behaviour or physical altercation between spectators and members, teachers, judges, officials or other spectators
- Putting undue pressure on children, berating them or putting down their performance
- Drinking at a lesson or competition or being drunk at a club event.

### WHAT WE WILL DO

- Provide members, their parents and all teachers, judges and other volunteers with our Code of Behaviour and make clear what is expected and the consequences of non-compliance.
- Where possible, bind non-members by prominently displaying conditions of entry to grounds and facilities and by requiring parents to abide by SCPD and APDA rules (e.g. by making parents sign our Code of Behaviour).
- Reinforce messages of fair and respectful behaviour by displaying signs and posters around our facilities and providing information on our website, in our newsletter and through other club communication.
- Encourage our teachers and judges to complete training to develop their skills and confidence.
- Ban bringing alcohol or drinking alcohol at all events.
- Encourage the reporting of incidents and investigate inappropriate behaviours as outlined in this policy and take disciplinary or whatever other actions as are deemed necessary.
- Encourage our members, teachers, judges and spectators to call the police if they are concerned about escalating behaviour and their safety or the safety of others.

### WHAT WE ASK YOU TO DO

- Help create a positive atmosphere for members, teachers, judges and other spectators by showing respect for members, teachers, judges and spectators.
- Abide by our club's Code of Behaviour and refrain from using bad language, harassing or ridiculing others or behaving in a threatening or violent manner.
- If you are aware of inappropriate spectator behaviour and you feel confident to do so, speak with the person and ask them to stop. If there is an ADPA official or Club member present, ask for their assistance.
- Report any inappropriate spectator behaviour to APDA or someone in a position of authority.

### NON-COMPLIANCE

Parents or others found to have behaved inappropriately, and who are associate members or have agreed to abide by our club's Code of Behaviour and this policy, may face disciplinary action as outlined in our Member Protection Policy.

## **DISABILITY POLICY**

### OUR COMMITMENT

SC Physie and Dance welcomes all members of the community regardless of their abilities. We will endeavour to include people with disability in both performing and in Physie & Dance non performing roles. Involvement of people with disability will depend on the ability of the person, the type and level of competition and our capacity to make modifications to our facilities, rules, teaching and performing environment.

#### WHAT WE WILL DO

- SC Physie and Dance will accept and welcome people with a disability.
- Be open to considering ways to include people of all abilities and remove barriers to their participation.
- Talk to the person, and their parents if the participant is a child, and ask them what they can do and what might be required.
- Be prepared where possible to make adjustments to our teaching style, rules or performance environment.
- Make sure people of all abilities are included in SC Physie and Dance social activities and are recognised for their contribution and achievement.
- Be honest and explain why modifications or adjustments may not be possible.

#### WHAT WE ASK YOU TO DO

If you have a disability:

- Tell us what we can do to make sure you can be part of SC Physie and Dance
- Understand that we will do our best to accommodate, but we may only be able to make minor adjustments
- Talk to us if you have any concerns or ideas.



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

## 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.**

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

All people working with SC Physie and Dance 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 also report the allegation to the *Owner/Head Teacher* of SC Physie and Dance so that he or she can manage the situation.

### Step 3: Protect the child and manage the situation

- The Executive committee 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 an employee of SC Physie and Dance.
- The Executive committee will consider what services may be most appropriate to support the child and his or her parent/s.
- The *Executive committee* will consider what support services may be appropriate for the alleged offender.
- The Executive committee will seek to put in place measures to protect the child and the alleged offender from possible victimization and gossip.

### Step 4: Take internal action

- At least 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 SC Physie and Dance).
- SC Physie and Dance will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in *Clause 9* of our Member Protection Policy.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take.
- **Contact details for advice or to report an allegation of child abuse**

New South Wales	
New South Wales Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.nsw.gov.au">www.police.nsw.gov.au</a>	Department of Family and Community Services <a href="http://www.community.nsw.gov.au">www.community.nsw.gov.au</a> Ph: 132 111

**CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION**

Before completing, ensure the procedures outlined in *Procedure for Handling Allegations of Child Abuse* 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 sport		
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 sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Member <input type="checkbox"/> Teacher <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official <input type="checkbox"/>	<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:
President and/or MPIO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

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