

KSTP Members Protection Policy

POLICY NAME: KSTP Member Protection Policy

DATE OF ISSUE: February 2018

DATE OF REVIEW: January 2019, January 2020, February 2021

DATE OF NEXT REVIEW: February 2022

CONTROLLING BODY: KSTP Management

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| <p>Statement of Commitment</p> | <ul style="list-style-type: none"> • KSTP is committed to providing a sport and work environment free of discrimination, harassment, child abuse and other forms of inappropriate behaviour • We believe that anyone who works for us or represents us, and everyone with whom we deal, has the right to be treated with respect and dignity • KSTP will not tolerate discriminatory or harassment behaviour under any circumstances • We will take all complaints of harassment or discrimination seriously, and will ensure they are dealt with promptly, sensitively and confidentially • Disciplinary action can be taken against a person who is found in breach of this policy • KSTP is committed to ensuring that the safety, welfare and wellbeing of children are maintained at all times during their participation in activities run by KSTP • Accordingly, any person involved in the instruction, management or coaching of any member under the age of 18 years may be asked to undergo screening procedures including police and other probity checks |
| <p>Purpose of our policy</p> | <p>The main objective of Kachan School of Tumbling & Performance' Member Protection 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.</p> <p>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.</p> |
| <p>Who our policy applies to</p> | <p>This policy applies to everyone involved in the activities of our club whether they are in a paid or unpaid/voluntary capacity and including:</p> <ul style="list-style-type: none"> • club committee members, administrators and other club officials • coaches and assistant coaches and other personnel participating in events and activities, including camps and training sessions • support personnel, including managers, physiotherapists • judges and other officials • athletes • parents • spectators |
| <p>Extent of our policy</p> | <p>Our policy covers all matters directly and indirectly related to KSTP and its activities. In particular, the policy governs unfair selection decisions and actions, breaches of our</p> |

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| | <p>code of behaviour and behaviour that occurs at training sessions, within the grounds of the Windsor District Baptist Church, at events organised or sanctioned by the club (or our sport). 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.</p> |
| <p>Club Responsibilities</p> | <p>We will:</p> <ul style="list-style-type: none"> • adopt, implement and comply with this policy • 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 or accessible to all people and organisations to whom this policy applies • review this policy every 12-18 months • seek advice from and refer serious issues to our state or national body <p>Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse) and any other issues that our state or national bodies request to be referred to them.</p> |
| <p>Individual responsibilities</p> | <p>Everyone associated with our club must:</p> <ul style="list-style-type: none"> • 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 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 • 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 • comply with any decisions and/or disciplinary measures imposed under this policy |
| <p>Protection of children</p> | <p>Child Protection KSTP is committed to the safety and wellbeing of children and young people who participate in our clubs activities or use our services. We support the rights of the child and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.</p> <p>Choosing suitable employees and volunteers KSTP will take all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children. This may be achieved using a range of screening measures. Such measures will aim to minimize the likelihood of engaging (or retaining) people who are unsuitable to work with children.</p> |

KSTP will ensure that Working with Children Checks and criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law. If a criminal history report is obtained as part of the screening process, KSTP will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements.

Report and respond appropriately to suspected abuse and neglect

KSTP will ensure that 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 ground that a child has been, or is being, abused or neglected.

In addition to any legal obligations, 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 they may make an internal complaint. Please refer to our complaints procedure of this policy.

Any person who believes a child is in immediate danger or in a life threatening situation, should contact the police immediately.

Supervision

Children under the age of [18] must be supervised at all times by a responsible adult. We endeavour to provide an appropriate level of supervision at all times. If a member finds a child under the age of [18] is unsupervised, they should assume responsibility for the child's safety until the child's parent/guardian or supervisor is located.

For reasons of courtesy and safety, parents must collect their children on time. If it appears a member will be left alone with just one child at the end of any club activity, they will ask another member to stay until the child is collected.

Transportation

Parents and or guardians are responsible for organising the transportation of their children to and from club activities (e.g. training and competitions). Where arrangements are made for the transportation of children by the parents with a member of staff at KSTP (eg from school or home to training or to outsourced training sessions) it is most appropriate wherever possible for there to be more than one child in the car with the staff member. The member of staff should use their best judgement on the situation and is recommended to text the parent prior to driving to advise who is in the car and that they are leaving.

Taking Images of Children

Images of children can be used inappropriately or illegally. We require that parents and or guardians provide consent on initial enrolment with KSTP to images being taken for promotional use. This can be changed by the parent at any time.

We will only use images of children that are relevant to our club's activities and we will ensure that they are suitably clothed in a manner that promotes our club.

Social Media

KSTP do not allow our coaches to be-friend athletes under 18 on social media, nor are they permitted to converse on platforms such as messenger, whatsapp, Instagram.

The exception to social media is where an athlete under 18 likes a coaches professional sports page, however messaging them via this page is not acceptable.

Discrimination,
Harassment and
Bullying

KSTP is committed to providing an environment in which people are treated fairly and is 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.

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.

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.

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
- 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
- physical features
- disability, mental or physical impairment
- personal association with someone who has, or is assumed to have, any of these personal characteristics

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| | <p>Legislation also prohibits:</p> <ul style="list-style-type: none"> • racial, religious, homosexual, transgender and HIV/AIDS vilification • victimisation resulting from a complaint <p>Bullying</p> <p>KSTP 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.</p> <p>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.</p> <p>Whilst generally characterised by repeated behaviours, one off instances can amount to bullying.</p> <p>The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:</p> <ul style="list-style-type: none"> • verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism • excluding or isolating a group or person • spreading malicious rumours • psychological harassment such as intimidation <p>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. We will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.</p> <p>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.</p> |
| <p>Responding to complaints</p> | <p>KSTP takes all complaints seriously. Our club will handle complaints based on the principles of procedural fairness, and ensure:</p> <ul style="list-style-type: none"> • all complaints will be taken seriously • irrelevant matters will not be taken into account • decisions will be unbiased • any consequences imposed will be reasonable <p>More serious complaints may be escalated to our State Association ie: Gymnastics NSW.</p> <p>If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then KSTP may need to report the behaviour to the police and/or relevant government authority.</p> <p>Complaint Handling Process</p> <p>When a complaint is received by our club, the person receiving the complaint (e.g. Club Manager, Member Protection Information Officer) will:</p> <ul style="list-style-type: none"> • 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
- 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 our [district, regional, state or national] association
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to our state association ie: Gymnastics NSW and an investigation is conducted, 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)
- act on our State association'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.

Disciplinary Sanctions

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

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

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
- suspension or termination of membership, participation or engagement in a role or activity
- any other form of discipline that our club considers reasonable and appropriate