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EASTERN RAPTORS RUGBY LEAGUE CLUB

MEMBER PROTECTION POLICY (See Rule 81)

Version History

Version	Date	Authors	Summary of Changes
1.0	24/10/13	R J Sharp, R W Sharp, K Rowell, T Norton & Australian Sports Commission	Document Initialisation

Acceptance

Position	Approval Date	Version	Name	Next Review
President	24/10/13	1.0	Jo Leiper	9/2014
Secretary	24/10/13	1.0	Kelly Rowell	

1. Introduction

Eastern Raptors Rugby League Club (Inc) Registration No 00056201U (the Association.)

2. Inconsistency with the Constitution

If there is any inconsistency between the terms of this Policy and the Constitution, then (to the extent permitted by law) the Constitution will override this policy, and will apply, to the extent of that inconsistency.

3. Purpose of Our Policy

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

4. Who Our Policy Applies To

This policy applies to everyone involved in the Association including, but not limited to, Committee members, administrators, coaches, trainers, team managers, officials (referees and judges), first aid personnel, voluntary workers, players, parents, legal guardians and spectators.

The Committee will empower a delegate such as a Committee Member or grounds manager to require a spectator to leave the grounds if his or her behaviour at a match breaches the provisions set out in this policy, and/or to seek Committee action to ban such a person from attending games and to report such a person to the VRL. Should such a spectator be a parent/legal guardian of a player then Part 3 Division 2 Disciplinary Action of the Constitution will also apply.



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5. Extent of Our Policy

This policy covers unfair decisions (e.g. team selection) and actions, breaches of the Association's code of behaviour that occurs at meetings, at practice and on the playing field, in the facilities of the Association, at social events sanctioned by the Association, and on away and overnight trips.

Note:

If a decision relating to team selection does not concern perceived discrimination then the matter should be handled first by the Director of Coaching and/or Junior Member Representative. Should they find that it does involve possible discrimination they will refer the matter to the Member Protection Information Officer (addressed below). See also Part 3 Division 3 Grievance procedure.

6. Association Responsibilities

The Association will:

- Implement and comply with this policy,
- Promote this policy to everyone involved in the Association,
- Promote and model appropriate standards of behaviour at all times,
- Respond to breaches or complaints made under this policy, promptly, fairly and as confidentially as possible within the framework specified in Part 3 Division 2, Disciplinary Action and Division 3 Grievance Procedure of the Constitution,
- Take specific actions mentioned at the note to Rule 19 of the Constitution,
- Review this policy every 12 months.

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 the VRL requests be referred to them. Reportable matters are more broadly discussed at the note to Rule 19 of the Constitution.

7. Individual Responsibilities

As a condition membership, everyone involved with this Association must:

- Comply with the standards of behaviour outlined in this policy,
- Treat others with respect,
- Always place the safety and welfare of children above other considerations,
- Be responsible and accountable for their behaviour,
- Follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour.

Noting the above, parents/legal guardians who exercise Association voting rights have a separate obligation to ensure their child/children who is/are Junior Member/s understands and complies with the behavioural boundaries outlined in this policy with respect to interaction with other children.



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8. Protection of Children

8.1 Child protection

The Association is committed to the safety and wellbeing of all children and young people accessing its service and facilities. The Association supports the rights of the child and will act without hesitation to ensure that a child-safe environment is maintained at all times. The Association also supports the rights and wellbeing of members and volunteer staff and encourage their active participation in building and maintaining a secure environment for all Association participants.

The Association acknowledges that its members and volunteer staff provide a valuable contribution to the positive experiences of children involved in sport. The Association aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

8.1.1 Identify and Analyse Risk of Harm

The Association will develop and implement a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the Association is, and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the actions of a member or volunteer or another person.

8.1.2 Develop a Code of Conduct for Adults and Children

The Association will ensure that it has a Code of Conduct that specifies standards of conduct and care when dealing and interacting with children, particularly those in the Association's care.

The Code of Conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour.

8.1.3 Choose Suitable Committee Members, Coaching and Training Staff and Volunteers

The Association will ensure that it takes all reasonable steps in the engagement of suitable and appropriate people to work with children.

This may be achieved by reasonable screening measures. Such measures will aim to minimise the likelihood of engaging people who are unsuitable to work with children.

The Association will ensure that working with children checks/criminal history assessments are conducted for all people working with children, where law requires an assessment.

If a criminal history report is obtained as part of the screening process, the Association will ensure that the criminal history information is dealt with in accordance with relevant state requirements.

Note:

The Working with Children Check (WVC) creates a minimum-checking standard across Victoria. The *Working With Children Act 2005* requires that some people who work with or volunteer in child-



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related work require a WWC – see Note to Rule 44 of the Constitution for advice on all applicable exemptions. The check involves a national police records check.

A person who has no criminal record will be granted an *assessment notice*. This notice will entitle the person to undertake child-related work in Victoria and is valid for five years (unless revoked). A person deemed unsuitable to work or volunteer with children will be given a *negative notice* and cannot work in child-related work in Victoria.

The Association will maintain a record of valid *assessment notices* and will require an application for their renewal at appropriate times.

For more information see www.justice.vic.gov.au/workingwithchildren or ring 1300 652 879.

8.1.4 Support, Train, Supervise and Enhance Performance

The Association will ensure that all people who work with children are supported and trained such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

8.1.5 Empower and Promote the Participation of Children in Decision-Making and Service Development

The Association will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

8.1.6 Report and Respond Appropriately to Suspected Abuse and Neglect

The Association will ensure that all people working with children are able to identify and respond to children at risk of harm or adverse influence.

The Association will make all people who participate in Association activities aware of their responsibilities under respective state laws if they have a suspicion, on reasonable grounds, that a child has been or is being abused, neglected or adversely influenced.

In addition to any legal obligation, if any person feels another person or group of people bound by this policy is acting inappropriately towards a child or is otherwise breaching the Code of Conduct, that person may make an internal complaint under the procedure set out in this policy that broadly operates under Part 3 Division 3, Grievance Procedure of the Constitution. A Complaint Reporting Form appears at Enclosure 5 to this Appendix.

8.2 Supervision

Members under the age of 18 must be supervised at all times by a responsible adult. The Association will provide a level of supervision adequate and relative to the member's age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 18 is unsupervised, they should assume responsibility for the member's safety until parent/legal guardian or supervisor can be found. Supervisors in this regard can include Coaches and Trainers.



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Parents/Legal guardians must turn up to collect their child for reasons of courtesy and safety. If it appears that a member or supervisor will be left alone at the end of a training session or game with one child they will ask another member to stay until the child is collected.

8.3 Transportation

Parents/Legal guardians are responsible for transporting their children to and from Association activities (e.g. training and games). Where the Association makes arrangements for the transportation of children (e.g. for away and overnight trips) it will conduct a risk assessment that includes ensuring vehicles are adequately insured and maintained, the driver has a current and appropriate licence for the vehicle being used, the driver understands boundaries and liabilities for personal behaviour, and appropriate safety measures are available (e.g. fitted working seat belts, first aid kit).

8.4 Taking Images of Children

Images of children can be used inappropriately or illegally. The Association requires that members, wherever possible and practicable, obtain permission from a child's parent/legal guardian before taking an image of a child that is not their own and ensure that parents/legal guardians know the way the image will be used. Noting the need for respect for privacy, no camera phone, video camera or camera or other recording instrument will be allowed inside changing areas, showers and toilets.

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

9 Anti-harassment, Discrimination and Bullying

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



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The Association takes all claims of harassment, discrimination and bullying and cyber bullying seriously. The Association encourages anyone who believes that they have been or have witnessed anyone being harassed discriminated against or bullied to raise the issue with the Association.

10 Inclusive Practices

The Association is welcoming and will seek to include members from all areas of the community.

10.1 People with a Disability

Where possible the Association will include people with a disability in teams and the Association. The Association will make reasonable adaptations to enable participation (e.g. modifications to equipment and rules).

10.2 People from Diverse Cultures

The Association will support and respect people from diverse cultures and religions in regard to their participation in Association teams and activities; and where possible will accommodate requests for flexibility (e.g. modifications to uniforms).

10.3 Sexual and Gender Identity

All people, regardless of their sexuality are welcome in the Association, which will strive to provide a safe environment for participation including taking action against homophobic behaviour.

10.4 Pregnancy

Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision-making about the way they participate in the Association's sport. The Association recommends pregnant women consult their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation. The Association will require evidence that medical advice permits participation in sport and the time that such is to cease.

10.5 Girls Playing in Sport

If no separate sex competition is available, The Association will support junior girls playing in junior boys teams up until the age of 12 (when the Federal sex discrimination laws says that differences in strength, stamina and physique are relevant, then a single sex completion is required). After this age, the Association will consider each request on an individual basis including looking at the nature of the sport and other opportunities to compete.

11. Responding to Complaints

11.1 Complaints

The Association takes all complaints about on and off the field seriously. The Association will handle complaints within the Part 3 Division 2 Disciplinary Action)/Division 3 (Grievance Procedure) framework of the Constitution and therefore on the basis of procedural fairness (natural justice), that is:



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- All complaints will be taken seriously,
- Both the person making the complaint (complainant) and the person the complaint is made against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story),
- Irrelevant matters will not be taken into account,
- Decisions will be unbiased and fair and,
- Any penalties imposed will be fair and reasonable.

More serious complaints though are reportable as indicated at the Note following Rule 19 of the Constitution where action will be undertaken by a higher authority. Such matters therefore may escalate to the attention of the police, and federal or state authorities, and the VRL.

11.2 Complaint Handling Process

A minor complaint should be made to the Junior Member Representative and/or Director of Coaching (refer to Enclosure 6 for Complaints, Grievances and Issues Flowchart and Enclosure 7 for Complaints Handling Procedures.)

A major complaint should be referred to the Member Protection Information Officer (MPIO) who will assess the matter under the framework of this policy and then report it to the President with a recommendation – at which time the framework of rules at Part 3 Division 2 (Disciplinary Action) of the Constitution will be applied.

A Complaint Reporting Form appears at Enclosure 5 to this Appendix and broadly falls within the framework of Part 3 Division 3 (Grievance Procedures) of the Constitution.

The MPIO, who will be suitably screened for the position and provided with appropriate training, will:

- Listen carefully and ask questions to understand the nature and extent of the problem,
- Ask what the complainant would like to happen,
- Explain the different options available to help resolve the problem and this includes providing advice on lodging a complaint with an anti-discrimination authority or other external agency,
- Take notes and,
- Maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option the MPIO will refer the matter to the President for action.

The MPIO will also advise the President on the following:

- The support that may be needed for both the complainant and the respondent,
- The need to gather information from specific people who may have witnessed the behaviour,
- The appropriateness in seeking mediation,
- The need to report the allegation to higher authorities or the need for Association Rules to apply to internal disciplinary procedures,
- Ensure the complainant and respondent are not victimised,
- Ensure the person that was allegedly subject to inappropriate behaviour is not placed in an unsupervised situation with the respondent,



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- The appropriateness for MPIO advisory support of any Disciplinary Sub Committee and Disciplinary Appeal Meeting.

11.3 Disciplinary Measures and Appeals

The procedural framework at Part 3 Division 2 (Disciplinary Action) of the Constitution will apply. Both the complainant and the respondent also have the option to appeal a measure imposed by the Association in following the above procedural framework to the VRL based on a denial of natural justice, because of perceived unjust or unreasonable disciplinary measures being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision made.

Enclosures:

1. Screening Requirements
2. Member Protection Declaration
3. Consent to National Police Check
4. Code of Conduct
5. Complaint Reporting Form
6. Complaint, Grievances and Issues Flowchart
7. Complaint Handling Procedures



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Enclosure 1
Member Protection Policy

SCREENING REQUIREMENT

This document sets out the screening process for people in the Association who work, coach, train, supervise or have regular unsupervised contact with young people under the age of 18 years. The Committee will:

- (1) Identify positions involving working coaching, training, supervising and regular unsupervised contact with young people under the age of 18 years.
- (2) Obtain a completed Member Protection Declaration (MPD) from all people who are identified in the above step or seeking to be engaged in those positions and keep such in a secure place.
- (3) Provide an opportunity for a person to give an explanation if an MPD isn't provided or it reveals that the person does not satisfactorily meet any of the clauses of the MPD. The Committee will then make an assessment as to whether or not the person may be unsuitable to work with young people under the age of 18 years. If unsatisfied, the Committee will not allow them to continue in a role, or will not appoint them or allow them to be appointed to a role/position.
- (4) Where possible, check with a person's referees (verbal or written) about his/her suitability for the role.
- (5) Ask the people identified in step 1 to supply a national police check.
- (6) Possibly ask the person to request a national "Part Exclusion" police check from the local police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, the Committee will provide an opportunity for the person to give an explanation, and then the Committee will make an assessment as to whether the person may pose a risk to or be unsuitable to work with young people under the age of 18 years. If unsatisfied, the Committee will not allow them to continue in a role or will not appoint them or allow them to be appointed to a position.
- (7) Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under the Association's policy. If unsatisfied, the Committee will not allow them to continue in a role or will not appoint them or allow them to be appointed.
- (8) Decide whether to offer the person the position taking into account the result of the police check and any other information the Association has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, the Committee will complete the check as soon as possible, and if necessary, act immediately on the outcome.



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- (9) Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
- (10) Return information collected during screening, (such as completed MPD forms, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of the appeal period, unless the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.



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Enclosure 2
Member Protection Policy

MEMBER PROTECTION DECLARATION

The Association has a duty of care to all of its members and volunteers, particularly to young people and children. As a requirement of the Association's Member Protection Policy, the Association must enquire into the background of those people who wish to undertake work such as coaching, training and supervision of, or have regular supervised contact with young people and children under the age of 18 years.

I have read the Member Protection Policy and believe that I have been appropriately informed and in this regard,

I _____ (print name)

of _____ (address)

and borne _____ / _____ / _____, sincerely declare:

- (1) I do not have any criminal charges pending before the courts.
- (2) I do not have any criminal convictions or findings for sexual offences, offences related to children, acts of violence, discrimination, harassment, theft, fraud or narcotic trafficking.
- (3) I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct, discrimination, harassment, bullying or acts of violence.
- (4) To my knowledge there is no other matter that the Association may consider to constitute a risk to its members and volunteers or reputation by engaging me.
- (5) I will notify the President of the Association immediately on becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the State of Victoria on _____ / _____ / _____ (date)

Signature: _____

Parent/Legal Guardian Consent for a person under the age of 18 years

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

Name: _____ Signature: _____

Date: _____ / _____ / _____



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Enclosure 3
Member Protection Policy

CONSENT FORM

I _____ (name)

Of _____ (address),

in recognising the Association's duty of care to its members, and that I am seeking a position within the Association over which the Committee exercises duty of care considerations, I consent to supplying a national police record check in my name.

I have read the Member Protection Policy and believe that I have been appropriately informed.

_____ (Signature)

_____/_____/_____ (date)

Parent/Legal Guardian Consent for a person under the age of 18 years

I have read and understood the consent provided by my child. I confirm that I am happy for them to seek a national police record check and to supply the results to the Association. I have read the Member Protection Policy and believe that I have been appropriately informed.

Name: _____ Signature: _____

Date ____/____/____



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Enclosure 4
Member Protection Policy

CODE OF CONDUCT

(See Division 2 Disciplinary Action, Division 3 Grievance Procedures; Member Protection Information Officer and Member Protection Policy)

The VRL's Code of Conduct appearing below reflects additions made by the Association. Additions made by the Association appear in *Italic font*.

VICTORIAN RUGBY LEAGUE 2013 CODE OF CONDUCT

Preamble

The Victorian Rugby League adopts the Rugby League Code of Conduct nationally implemented by the National Rugby League (NRL). The following outlines this Code as issued by the NRL.

This Association adopts this Code of Conduct with additions as part of its Member Protection Policy.

Introduction

The purpose of the Rugby League Code of Conduct is to provide all participants with some simple rules concerning the standard of behaviour that is expected at all matches, *training*, functions and events. *The Association will apply the Code of Conduct to behaviour at meetings as well.*

General Principles

Participants in the game of Rugby League include:

- Registered players;
- Accredited persons (coaches, *team managers*, first aid officers, league safe officers, referees and touch judges);
- Officials (Association *members*, *administrators* and volunteers, ground managers and duty officials);
- Parents/*Legal guardians*, carers of players, sponsor representatives and club supporters;
- Members of the general public attending as spectators.

Every participant should:

- Discourage all instances of unsportsmanlike behaviour, foul or illegal play, or acts of violence, both on and off the field;
- Respect the rights, dignity and worth of every person regardless of their gender, sexual orientation, ability/disability, *race*, cultural background, religion *and pregnancy*;
- *Not engage in sexist remarks*;
- *Show tolerance towards the opinions of others*;



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- *Not make vexatious complaints against another member or volunteer due to a personality clash;*
- Condemn the use of recreational and performance enhancing drugs and doping practices; their use endangers the health of players and is contrary to the concept of fair play;
- *Do everything appropriate to maintain a child-safe environment.*

Code of Conduct – Player

- Be a good sport. Respect all good play whether from your team or the opposition and shake hands with and thank the opposition players and officials after the game – win, lose or draw.
- Participate for your own enjoyment and benefit.
- Always respect the referee's decision.
- Never become involved in acts of foul play.
- Honour both the spirit and letter of the competition rules and live up to the highest ideals of ethics and sportsmanship; avoid gamesmanship and respect the traditions of the game.
- Never engage in disrespectful conduct of any sort including profanity, sledging, obscene gestures, offensive remarks, trash-talking, taunting or other actions that are demeaning to other players, officials or supporters.
- *Do not engage in any form of bullying of another player - verbal, physical, cyber.*
- *Do not engage in the harassment, abuse or victimisation of another player.*
- Care for and respect the facilities and equipment made available to you during training and competition.
- Safeguard your health; don't use any illegal or unhealthy substances.
- Recognize that many officials, coaches and referees are volunteers who give up their time to provide their services. Treat them with the utmost respect.
- Do not bet or otherwise financially speculate, directly or indirectly, on the outcome or any other aspect of a Rugby League match or competition in which you are involved.

Code of Conduct – Coach/Trainer/Team Manager

- Actively discourage foul play and/or unsportsmanlike behaviour by players.
- Seek to maximise the participation and enjoyment for all players regardless of ability; avoid the tendency to over-use a talented player; treat all players as equals, regardless of their talent, gender, sexual orientation, race, cultural background, religion or disability.
- *Show no form of discrimination towards any player.*
- *Do not engage in any form of bullying (verbal, physical, cyber), harassment or victimisation of a player or team official*
- *Do not yell or give verbal instructions to players from the sideline. Maintain silence at all times and allow the players to enjoy the game.*
- *Do everything appropriate to maintain a child-safe environment.*
- Show concern and caution towards all sick and injured players. Follow the advice of a



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physician and/or sports trainer/*first aid official* to the letter when determining when an injured player is ready to recommence training or playing.

- Teach players that an honest effort and competing to the best of their ability is as important as victory.
- Maintain appropriate and professional relationships with players at all times.
- Maintain a thorough knowledge of the rules of the game and keep abreast of current coaching methods; maintain or improve your current accreditation level.
- Always consider the health, safety and welfare of the players.
- Teach young players to realise that there is a big gap between their play and the professional game; do not coach them as if they are professionals.
- Ensure that your coaching reflects the level of the competition being played *with supportive encouragement*; do not be a “winner-at-all-cost” coach.
- As coach *or trainer or team manager*, conduct yourself at all times in a manner, and in all situations, that shows leadership, respect for the game of Rugby League and respect for all those that are involved in the game – the players, officials, *the spectators*, the parents/*legal guardians*, the referees and the media.

Code of Conduct – Referee/Touch Judge/Official

- Be impartial! Also, be consistent, objective and courteous.
- Place the safety and welfare of the players above all else; be alert to minimise dangerous physical play, fair or foul, especially in junior matches.
- Accept responsibility for all actions taken.
- Avoid any form of verbal contact with coaches, team officials, parents/*legal guardians* and spectators during play.
- Avoid any situation, which may lead to a conflict of interest, both on and off the field.
- Maintain an appropriate level of fitness for the standard of game at which you are officiating.
- Condemn all and every instance of unsportsmanlike, foul or unfair play.
- Set a good example by the way you dress, speak and act towards players, coaches, officials, parents/*legal guardians* and spectators.
- Show concern and caution towards sick and injured players.
- Officiate to the age and/or experience of the players.

Code of Conduct – Committee Member, Administrator, Volunteer, Spectator/Parent/Legal Guardian

- Condemn all violent or illegal acts, whether they are by players, coaches, *team managers*, officials, *volunteers*, parents/*legal guardians* or spectators.
- Respect the referee’s decisions – don’t complain or argue about decisions during or after a game.
- Behave! Unsportsmanlike language, harassment or aggressive behaviour will not be tolerated.



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- Encourage players to play by the rules and to respect opposition players and officials.
- Never ridicule or scorn a player for making a mistake – respect their efforts.
- Understand that sport is part of a total life experience, and the benefits of involvement go far beyond the final score of a game.
- Participate in positive cheering that encourages the players in the team you are supporting; do not engage in any cheering that taunts or intimidates opponents, their *spectators* or officials.
- Remember that children participate in Rugby League for their own enjoyment, not yours!
- *Do everything appropriate to maintain a child-safe environment.*
- At all times, follow the directions of the Ground Manager and/or other duty officials.
- Never arrive at a Junior League game under the influence of alcohol, never bring alcohol to a Junior League game and only drink alcohol, if it is available, in a responsible manner in the designated licensed area.
- *Never engage in inappropriate player imaging and in particular never engage in player imaging in changing rooms, showers or toilets.*



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Code of Conduct – Summary of Offences

No person(s) attending a match, function or event shall:

- a. Use offensive or obscene language to any participant;
- b. Enter the Field of Play during the course of a match without the prior approval of the Ground Manager appointed by the home club and/or league;
- c. Excessively dispute the decision of a referee or touch judge either during or after a match;
- d. Assault or act with aggression to any person/s;
- e. Behave in a way contrary to the Code of Conduct and/or the spirit of the game;
- f. Behave in a way, which disturbs the enjoyment of a match, function or event by any other person/s, or brings discredit to the home club and/or league;
- g. Act in such a way as to exhibit *racial, cultural, racial, gender or sexist* intolerance, by language or other conduct, to any person/s;
- h. Refuse to accept the reasonable direction of the Ground Manager, official of the team/club, which that person is supporting, or official of the home club and/or league.

Clubs are responsible for the conduct of their players, parents/*legal guardians*, carers of players, coaches, *team managers*, officials, *volunteers*, club supporters and *spectators*.

Breaches of the Rugby League Code of Conduct may result in penalties imposed by the Victorian Rugby League, including but not limited to:

- Suspension of a match and/or
- Termination of a match (including potential forfeiture of competition points) and/or
- Monetary fines and/or
- Suspension of a participant on a temporary or permanent basis and/or
- Suspension of a club, league or association on a temporary or permanent basis.

These penalties are in addition to any penalty, which may be imposed by the Association, which includes a reprimand or suspension or termination of membership.



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Enclosure 5
Member Protection Policy

COMPLAINT REPORTING FORM

Name of person making the complaint and date	
Over 18/Under 18	
Complainant's contact details – phone/email	
Name of person receiving the complaint and date	
Complainant's role in the Association (<i>please circle</i>)	Committee Member Administrator (volunteer) Player Coach/Assistant Coach Trainer Team Manager Official First Aid Official Member Parent/Legal Guardian Spectator Other (<i>please specify</i>):
Name of person (respondent) complained about (<i>please circle age</i>)	Over 18 / Under 18

Respondent's role in the Association (<i>please circle</i>)	Committee Member Administrator (volunteer) Player Coach/Assistant Coach Trainer Team Manager Official First Aid Official Member Parent/Legal Guardian Spectator Other (<i>please specify</i>):
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Location or event concerning alleged issue, and date and time	
Description of alleged issue	
<p>Nature of complaint (<i>Please circle - there may be more than one nature</i>)</p> <p>Note: Matters concerning team selection, coaching methods, personality clash and unfair decisions that do not constitute Harassment, Discrimination or Inappropriate Behaviour should be represented to the Director of Coaching and Junior member Representative.</p>	<p><u>Nature of Harassment, Discrimination, Inappropriate Behaviour</u></p> <p>Sexual/sexist Sexuality Race Culture Religion Pregnancy Bullying – verbal/ physical/cyber Disability Gender Verbal abuse Physical abuse Victimisation Grooming Inappropriate imaging Other (<i>please specify</i>):</p>
What the complainant wants to fix the alleged issue	



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Information provided to the complainant on options	
Resolution of issue or action taken including any mandatory reporting	
Follow up action	
MPIO signature and date	



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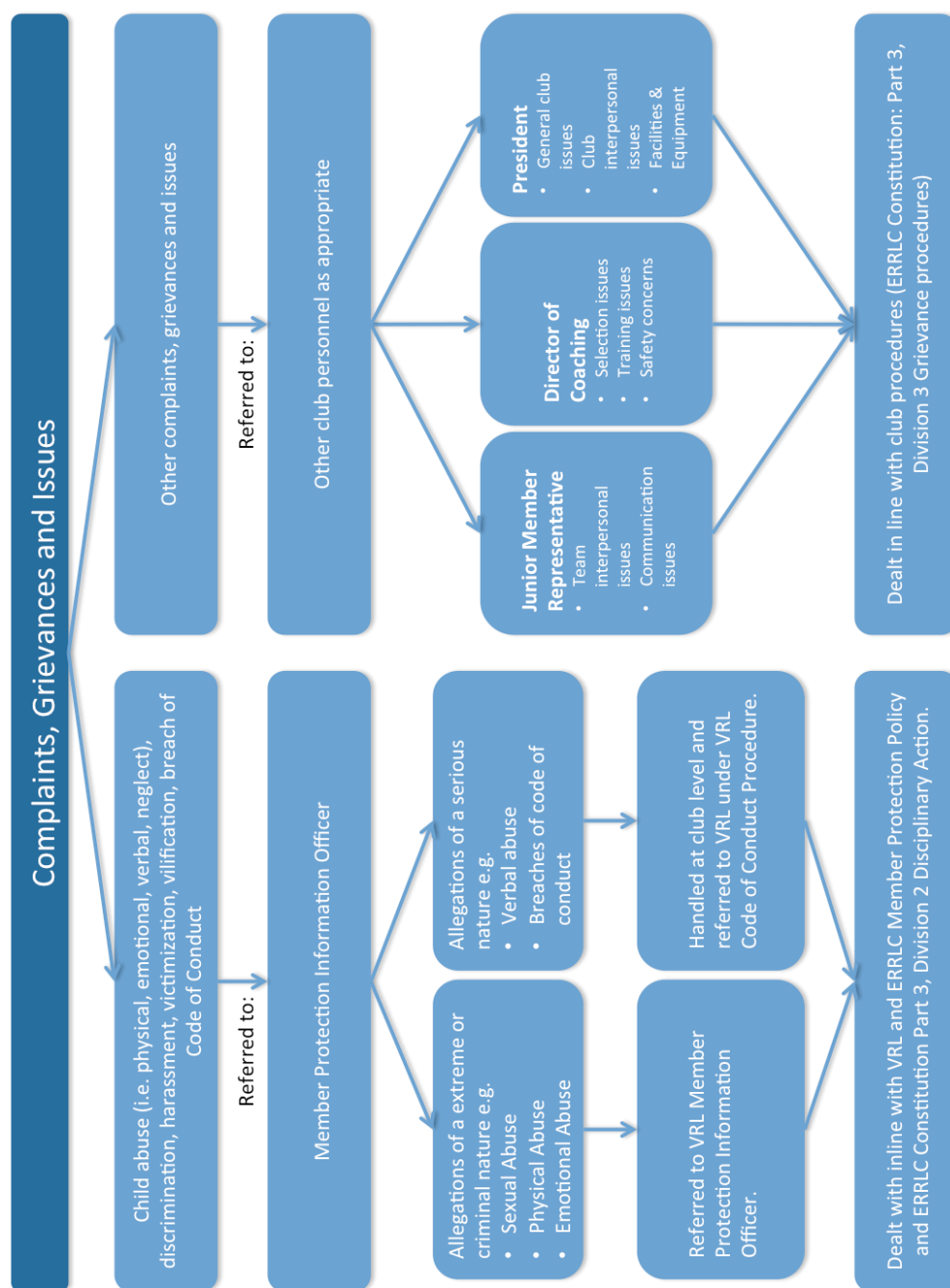


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Enclosure 6
Member Protection Policy

COMPLAINTS, GRIEVANCES AND ISSUES FLOWCHART



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Enclosure 7
Member Protection Policy

COMPLAINT HANDLING PROCEDURES

Complaints Procedure

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.

Individuals and organisations may also pursue their complaint externally under anti-discrimination, child protection or other relevant legislation.

If you wish to remain anonymous, the ERRLC may have difficulty assisting you to resolve your complaint. Procedural fairness (natural justice) means that the ERRLC is required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond.

Informal Approaches

Step 1: Talk with the other person (where this is reasonable and appropriate)

In the first instance, you (the Complainant) should try to sort out the problem with the person or people involved (respondent) if you feel able to do so.

Step 2: Contact a Member Protection Information Officer

Talk with one of our Junior Member Representative, Director of Coaching or Member Protection Information Officer (MPIO) if:

- The first step is not possible/reasonable;
- You are not sure how to handle the problem by yourself;
- You want to talk confidentially about the problem with someone and obtain more information about what you can do; or
- The problem continues after you tried to approach the person or people involved.

The Junior Member Representative, Director of Coaching or Member Protection Information Officer (MPIO) will:

- Take confidential notes about your complaint;
- Try to find 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;
- Act as a support person if you so wish;
- Refer you to an appropriate person (e.g. Mediator) to help you resolve the problem, if necessary;



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- Inform the relevant government authorities and/or police if required by law to do so;
- Maintain confidentiality.

Step 3: Outcomes from initial contact

After talking with the Junior Member Representative, Director of Coaching or Member Protection Information Officer (MPIO), you may decide:

- There is no problem;
- The problem is minor and you do not wish to take the matter forward;
- To try and work out your own resolution (with or without a support person such as a MPIO); or
- To seek a mediated resolution with the help of a third person (such as a mediator); or
- To seek a formal approach.

FORMAL APPROACHES

Step 4: Making a Formal complaint

If your complaint is not resolved or informal approaches are not appropriate or possible, you may:

- Make a formal complaint in writing to the MPIO and/or the President, or,
- Approach a relevant external agency such as the Victorian Rugby League Inc, for advice.

On receiving a formal complaint and based on the material you have provided, the MPIO and/or the President will decide whether:

- They are the most appropriate person to receive and handle the complaint;
- The nature and seriousness of the complaint warrants a formal resolution procedure;
- To appoint a person to **investigate** (gather more information on) the complaint;
- To refer the complaint to mediation;
- 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 arrangements that will apply until the complaint process set out in these Procedures is completed.

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

- Whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
- Your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- The relationship between you and the respondent (for example an actual or perceived power imbalance between you and the respondent);
- Whether the facts of the complaint are in dispute; and



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- The urgency of the complaint, including the possibility that you will be subject to further unacceptable behaviour while the complaint process is underway.

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

- 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 if 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 this policy.

Step 5: Investigation of the complaint

- A person appointed under Step 3 will conduct an investigation and provide a written report to the President and Committee who will determine what further action to take;
- If the complaint is referred to mediation, it will be conducted in accordance with Part 3, Division 3, Grievances Procedure of the Constitution or as otherwise agreed by you and the respondent and the mediation provider;
- If the complaint is referred to a hearings tribunal, the hearing will be conducted in accordance with Part 3, Division 2, Disciplinary Action of the Constitution;
- If the complaint is referred to the police or other appropriate authority, the ERRLC will use its best endeavours to provide all reasonable assistance required by the police or other authority.

Step 6: Documenting the resolution

The MPIO will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at the VRL level, the information will be stored at the VRL office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at state or federal agency level document storage and access will follow their own policies and procedures.

EXTERNAL APPROACHES

There are ranges of other options available 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 anti-discrimination commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be harassment within its jurisdiction, you may lodge a formal complaint with the commission.

Once a complaint is received by an anti-discrimination commission, it will investigate. If it appears that unlawful harassment or discrimination has occurred, the commission will conciliate the complaint confidentially. If this fails, or is inappropriate, the complaint may go to a formal hearing where a



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finding will be made. 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.

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.

You could also approach another external agency such as the police.

Investigation Process

If an investigation needs to be conducted to gather more information the following steps will be followed:

1. We will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:
 - 1.1 Interview the complainant and record the interview in writing.
 - 1.2 Convey full details of the complaint to the respondent (s) so that they can respond.
 - 1.3 Interview the respondent to allow them to answer the complaint, and record the interview in writing.
 - 1.4 Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
 - 1.5 Make a finding as to whether the complaint is:
 - Substantiated (there is sufficient evidence to support the complaint);
 - Inconclusive (there is insufficient evidence either way);
 - Unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - Mischievous, vexatious or knowingly untrue.
 - 1.6 Provide a report to the President documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
2. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
3. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).



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4. 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 Part 3, Division 2, and Disciplinary Action of the Constitution.

Procedure for handling allegations of Child Abuse

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. Child abuse can include physical, emotional, verbal, neglect etc. It is not the responsibility of anyone volunteering in the ERRLC to arbitrarily decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns by reporting these to the appropriate authorities. The following outlines the key steps to follow. More information can be obtained from State or Territory government agencies.

Step 1 – Initial Receipt of an Allegation

If a child or young person discloses an allegation involving harm or abuse to them or another child, then it is crucial that you:

- Stay calm;
- Listen, be supportive and do not dispute what the child says;
- Reassure the child that what has occurred is not the fault of the child;
- Be honest with the child and explain that other people may need to be told in order to stop what is happening;
- Ensure you are clear about what the child has said but do not elicit detailed information, ask leading questions or offer an opinion;
- Act promptly to accurately record the discussion in writing;
- Do not discuss the details with any person other than those detailed in these procedures; and
- Do not contact the alleged offender.

Step 2 – Report allegations

- Immediately report any allegation or disclosure of child abuse or situation involving a child at risk of harm, to the police and/or government child protection agency. You may need to report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the complaint should be reported (for example, the allegation may relate to poor/inappropriate practice).
- If the child's parent/s is suspected of committing the abuse, you should report the allegation to the relevant government agency.
- If the allegation involves anyone to whom our policy applies, then also report the allegation to the President of the ERRLC so that they can manage the situation (e.g. contact the parents following advice from the authorities, deal with any media enquiries and manage steps 3 and 4).



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Step 3 – Protect the child and manage the situation

- The President will assess the risks and take interim action to ensure the child's/children's safety. Action the ERRLC may implement include removal/suspension from their duties until the allegations are finally determined.
- The President will consider the kind of support that the child/ren and parents may need (e.g. counselling, helplines, support groups).
- The MPIO and/or President will address the support needs of the alleged offender.
- The MPIO and/or President will also put in place measures to protect the child and the person against whom the complaint is made from victimisation and gossip. If the person is stood down, it should be made clear to any persons aware of the incident that this does not mean the respondent is guilty and a proper investigation will be undertaken.

Step 4 – Internal action

- Where there is an allegation made against a person to whom this policy applies, there may be four types of investigations:
 - Criminal (conducted by police)
 - Child protection (conducted by child protection authority)
 - Governing sporting body (conducted by the Victorian Rugby League Inc. (VRL))
 - Disciplinary or misconduct (conducted by ERRLC)
- Irrespective of the findings of the VRL, child protection and/or police inquiries, the ERRLC will assess the allegation to decide whether the person should be reinstated, suspended, or have their position terminated or any other action.
- The decision-maker(s) will be disciplinary subcommittee of the ERRLC and it will consider all the information, including the findings of the police, government agency and/or court, and determine a finding, recommend action and explain its rationale for the action. This may be a difficult decision particularly where there is insufficient evidence to uphold any action by the police.
- If disciplinary action is to be taken, the procedures outlined in Part 3, Division 2, Disciplinary Action of the Constitution will be followed.
- If disciplinary action is taken, the ERRLC will advise and provide a report to the VRL and relevant government authority should this be required.

