



**WEST AUSTRALIAN LITTLE ATHLETICS INC**  
**MEMBER PROTECTION POLICY**

**AUGUST 2008**

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## **PREFACE**

The West Australian Little Athletics Inc. is strong in its commitment to a coordinated and comprehensive approach to promote the protection of children and adults. In accordance with the West Australian State Government principles for child protection and intervention, the West Australian Little Athletics Inc. aims to promote a safe environment for all children and adults and to recognise and notify suspected child abuse and neglect.



## **PART A: MEMBER PROTECTION POLICY**

### **1. West Australian Little Athletics Mission Statement**

To Develop Children Of All Abilities

By Promoting Positive Attitudes And A Healthy Lifestyle  
Through Family And Community Involvement In Athletic  
Activity

### **2. Purpose of this policy**

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

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

This policy has been endorsed by The Board of Management of West Australian Little Athletics . The policy starts on 27<sup>th</sup> November 2007 and will operate until replaced. This policy and/or its attachments may be amended from time to time as set down by the Board of Management. Copies of the policy and its attachments can be obtained from our website [www.littleathletics.com.au/wa](http://www.littleathletics.com.au/wa) or from the association office 15 Harrogate Street, Leederville 6007

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

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

- Individuals sitting on boards, committees and sub-committees;
- Employees and volunteers;
- Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- Coaches and assistant coaches;

- Athletes
- Officials;
- Members, including life members;
- Member associations;
- Affiliated Centre/clubs and associated organisations;
- Any other person or organisation that is a member of or affiliated to WALA
- Parents, guardians, spectators and sponsors to the full extent that is possible.

[This policy will continue to apply to a person even after they have stopped their association or employment with WALA due to disciplinary action, relating to an allegation of child abuse against that person.

#### **4. Code Of Conduct**

WALA requires every individual and affiliated/related organisation bound by this policy to:

- 4.1 Be ethical, fair and honest in all their dealings with all other people and WALA
- 4.2 Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- 4.3 Always place the safety and welfare of children/members above other considerations;
- 4.4 Comply with WALA'S constitution, rules and policies including this member protection policy;
- 4.5 Operate within the rules and spirit of the sport;
- 4.6 Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
- 4.7 Be responsible and accountable for their conduct; and
- 4.8 Abide by the relevant Role-Specific Codes of Conduct outlined in Part D of this policy.

#### **5. Organisational Responsibilities**

The Board of Management ,paid staff, affiliated Centres/Clubs and volunteers must:

- 5.1 Adopt, implement and comply with this policy;
- 5.2 Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- 5.3 Ensure all volunteers/paid staff who are required to get a working with children check,have a valid and up to date check
- 5.4 Ensure that there is enough supervision appropriate to the age of the children
- 5.5 Avoid one on one situations with children
- 5.6 Promote appropriate standards of conduct at all times;
- 5.7 Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner; with details to be supplied to the WALA office for record purposes.
- 5.5 Apply this policy consistently without fear or favour;
- 5.6 Recognise and enforce any penalty imposed under this policy;
- 5.7 Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies
- 5.8 Appoint or have access to appropriately trained people to receive and handle complaints and allegations and display the names and contact details in a way that is readily accessible; and
- 5.9 Monitor and review this policy at least annually.

#### **6. Individual Responsibilities**

Individuals bound by this policy are responsible for:

- 6.1 Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- 6.2 Consenting to undergo criminal record screening where applicable if the individual holds or applies for a role that involves, or is likely to involve, contact with children, and is subject to a Working with Children check under state law. Or a Police clearance check if the individual holds a position which entails handling money.
- 6.3 Complying with all other requirements of this policy;

- 6.4 Co-operating in providing a discrimination, child abuse and harassment free sporting environment;
- 6.5 Understanding the possible consequences of breaching this policy.

## **7. Policy Position Statements**

### **7.1 Child Protection Policy**

Every member and organisation bound by this policy must always place the safety and welfare of children above all other considerations.

WALA acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of our juniors. WALA aims to ensure this continues and to protect the safety and welfare of its junior participants. Several measures will be used to achieve this such as:

- Prohibiting any form of abuse against children;
- Providing opportunities for our juniors to contribute to and provide feedback on our program development;
- Carefully selecting and screening people whose role involves, or is likely to involve, contact with children; (Screening procedures are outlined in Part B of this policy);
- Ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed;
- Providing procedures for raising concerns or complaints (our complaints procedure is outlined in Part E of this policy); and
- Providing education and/or information to those involved in our sport on child abuse and child protection.

WALA requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within our sport, to report it immediately to the police or relevant government agency.

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected.

If anyone bound by this policy reasonably suspects that a child is being abused by his or her parent/s, they are advised to contact the relevant government department for youth, family and community services in their state/territory.

### **7.2 Anti-Discrimination and Harassment Policy**

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

WALA recognises that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their age, disability, family responsibilities, gender identity, homosexuality or sexual orientation, irrelevant medical or criminal record, marital status, political belief, pregnancy or breastfeeding, race, religion, sex, social origin and/or trade union membership/activity.

WALA prohibits all forms of harassment and discrimination based on personal characteristics listed in the Dictionary. Discrimination and harassment can be extremely distressing, offensive, humiliating and/or threatening and create an uncomfortable and unpleasant environment. In most circumstances discrimination and harassment are against the law.

## 7.6 Other relevant policies

Other WALA relevant policies can be found at [www.littleathletics.com.au/wa](http://www.littleathletics.com.au/wa) . Some of the policies which contribute to the welfare of all those involved in our activities include

- Privacy Policy
- Risk Management Policy

## PART B: WEST AUSTRALIAN LITTLE ATHLETIC'S MEMBER SCREENING

### Background

Member screening is about keeping our members, particularly our junior members, safe from abuse and protecting them from people who are unsuitable to work with children. Child abuse is illegal in all states and territories of Australia, with each having their own child protection laws that cover the reporting and investigation of cases of child abuse.

The Working with Children (Criminal Record Checking) Act 2004 was introduced in Western Australia in 2006 and must, where applicable, be adhered to.

Please note that the Working with Children (Criminal Record Checking) Act 2004 requirements apply despite the existence or absence of our Member Protection Policy.

As part of WALA's commitment to protecting the safety and welfare of children and young people involved in WALA activities, WALA requires the following screening requirements be undertaken

### B1: MEMBER SCREENING REQUIREMENTS

This attachment sets out the screening process for people who currently occupy or who apply for any work (paid or voluntary) in our Association/Centre/Club and whose duties involve, or are likely to involve, contact with children, involved with money or are Board members and Team Managers.

Screening under this policy is not a replacement for any other procedure required by law. If WA State legislation sets an equivalent or higher standard of screening, then that must be followed as a minimum.

#### Association/club requirements

Under WALA's Member Protection Policy, all Associations/Centres/Clubs and members thereof are required to screen people who apply for work (paid or voluntary) in the following way:

#### 3. Criminal record checking – 3.1 Working with Children Checks –

All persons whose duties involve or are likely to involve contact with children except the following:

- Volunteers under 18 years
- Parents volunteering who have a child athlete in the Club/Centre

- See appendix C for other exemptions

Will be subject to a Working with Children Check. See Appendix C

3.1.1 If a Negative Notice or Interim Negative Notice is issued then the person must not continue or be appointed in a position of child-related work as per the legislation.

3.1.2. The Volunteer Check Officer/Executive Officer of WALA will check the validity of a persons card before they commence, if they already hold a card from a previous child-related position.

Then the Volunteer Check Officer/Executive Officer of WALA will check the validity of WWC Check card holder's cards at the commencement of each season.

3.1.3. All persons who hold a WWC Check card must re-apply for the card every 3 years or as otherwise required by law. Both the individual and the organisation are responsible for ensuring WWC Check cards are valid, as per the legislation.

### 3.2 National Police Checks for Volunteers (NPCV)

All people in Centre/Club who handle money pertaining to the Centre/Club and all Board are directed to have a National Police Check for volunteers See Appendix C2

3.2.1 If a persons NPCV indicates a record the Association Executive Office will contact the person to notify them of the findings and give them the opportunity to confirm the information.

3.2.2 If the information is correct then they will be required to obtain a full National Police Certificate detailing the particulars of their record or alternatively relinquish their position immediately

3.2.3 Once this has been obtained they will be given the opportunity to respond and provide further explanation.

3.2.4 The Association Executive Officer will assess the information returned in the National Police Check and consider the response and explanation of the person when determining whether the person may compromise the safety and well being of WALA's members.

3.2.5 The Association Executive Officer may seek advice from a specialist agency to assist in the assessment process.

3.2.6 If the Association Executive Officer's assessment indicates that the person is not suitable to handle money then that person must remove him/herself from the position.

3.2.7 NPCV should be undertaken every 3 years for each person working with financial resources of any form within the Sport.

4. At all times throughout this process the Volunteer Check Officer & Association Executive Officer is required to protect privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
5. Information collected during screening (such as interview reports, police records and referee reports) will be returned to the relevant person if that person is not appointed to/will not remain in the position, or otherwise be destroyed with the consent of the person concerned. For appointed persons, information will be kept on file (in a secure location). See Appendix E for a spreadsheet that can be used to summarise and keep track of this information.

## **PART C – PROCEDURES**

### **C1 Working with Children Checks**



This information is subject to change at any time. Refer to the Department of Community Development [Working with Children Screening Unit website www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au) or contact 1800 883 979. This information was updated on 1 September 2007.

### Introduction

The Working with Children (Criminal Record Checking) Act 2004 commenced in Western Australia on 1 January 2006. The aim of the Act is to deter and prevent people who may harm children from obtaining positions of trust within organisations. The Act introduces compulsory criminal record checking to ensure a consistent and high standard of checking for persons in child-related work

### Who needs to apply for the check?

People doing child-related work must have a WWC check. Work is 'child related work' if the usual duties of the work involve, or are likely to involve contact with a child. 'Child-related work' can be carried out by volunteers, unpaid people, paid employees and self-employed people.

Contact includes any form of the following:

- Physical contact
- Verbal communication, whether face to face, telephone or in another form
- Electronic communication

Some examples of positions in WALA which may be considered 'child-related work' include but are not limited to:

- Board of Management
- Paid staff
- Development Officers
- Centre/Club Executive
- Coaches
- Managers
- Officials/Assistants
- First Aid or Medical Staff
- Canteen staff
- Supervisors on overnight sports camps / competitions

### General exemptions

The following people are exempt from the legislation and will not need to have a Check:

- volunteers under 18 years;
- Short-term visitors to WA, for 2 weeks after their arrival, and for no more than 2 weeks in a 12 month period;
- In some cases, volunteer parents. This exemption entirely depends on which category of childrelated work the parent is volunteering in. See below.

### Specific exemptions from certain categories of child-related work

| Category  | Examples  | Parent Exemption   | Other exemptions  |
|---|---|--|---|
| Educational institution for children            | Eg after school coaching, specialist sports session etc | Work carried out on a voluntary basis by a parent of a child who is <b>enrolled</b> at the educational institution |   |
| Coaching or private tuition service of any kind | Eg Specialist coaches / instructors                     | Work carried out on a voluntary basis by a parent of a child to whom the service is being provided                 | <ul style="list-style-type: none"> <li>• An informal arrangement entered into for private or domestic purposes</li> </ul> |

|   |  |   |   |
|---|--|---|---|
|   |  | in connection with an activity in which the child is <b>participating or ordinarily participates</b>  | • Coaching or private tuition provided to a class of 2 or more students that is not provided primarily for children |
| Club, association or movement (including of a cultural, recreational or sporting nature and whether incorporated or not) with a significant membership or involvement of children | Eg Regular club or association coaches, managers, officials, first aiders, canteen staff, administrators etc | Work carried out on a voluntary basis by a parent of a child who is <b>involved or is ordinarily involved</b> in some or all of the activities of the club, association or movement | An informal arrangement entered into for private or domestic purposes   |
| an overnight camp, regardless of the type of accommodation or how many children are involved  | Eg end of season trips, country week tournaments, interstate tournaments                                     | No parent exemption.  |   |

### 5 day threshold

People who carry out child-related work on no more than 5 days in a calendar year (except those working in child care services) will not be required to apply for a Check. Please note that this is five days across all areas of child-related work, not just those days performing duties for the club or association.

### Phasing-in Arrangements

Checks are being phased-in over 5 years. If a person is carrying out child-related work and needs to apply for a Check, they must apply by the date required under the phasing-in arrangements. The information provided below about phasing-in arrangements is general information only. Only those categories of child-related work relevant to our sport are listed. For full details of the phasing-in arrangements for Checks please see Fact sheet 2 "When to apply for a Working with Children Check", available at [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au), or by calling (08) 6217 8100.

#### Volunteers / Unpaid

- Volunteers working with children aged 0 – 7 years in any category of child-related work should have applied already.
- Volunteers working with children aged 8 – 12 years in any category of child-related work, should apply by 31 December 2007.
- Volunteers working with children aged 13 – 17 years in any category of child-related work, should apply in 2008.

#### Self Employed

- Self employed persons working in most categories of child-related work relevant to Little Athletics should have applied already.

#### Paid

- In most categories of child-related work relevant to Little Athletics paid persons who commence child-related work after 1 January 2006 should apply when they commence employment.
- In most categories of child-related work relevant to Little Athletics paid persons who commenced child-related work before 1 January 2006 and are still in that same position should apply in 2009.

### Application Process

1. Applicant obtains a Working with Children Application form from an Australian Post Office.
2. Applicant completes Parts 1 – 5 & 8 of Working with Children Application form.

3. Volunteer check Officer completes Part 6 & 7 of Working with Children Application form.
4. Applicant submits form, 100 points of identification (show on Working with Children Application form) and required fee to an Australia Post Office.

#### 4.1 Costs

Volunteers / unpaid persons \$10.00

Paid / self employed \$50.00

These fees will be paid by the individual or by the association/Centre/Club where indicated.

5. A photograph will be taken at the Post Office and is included in the fee. The form will be sent to the Working with Children Screening Unit for processing.
6. Working with Children Screening Unit will forward application outcome to the Volunteer Check Officer and the applicant.
7. The Volunteer check Officer's copy will be sent directly to the Association Executive Officer
8. If an 'Assessment Notice' is given, the Association Executive Officer should keep this information on file (in a secure location).
9. If a 'Negative Notice' or 'Interim Negative Notice' is issued then the applicant must not be appointed or continue in child-related work as per the legislation. It is the responsibility of the Volunteer Check Officer/Association Executive Officer to make sure this is adhered to. Also a copy of the "Negative Notice" must be sent to the Association Executive Officer immediately.

### Application Outcomes

#### Successful

Applicants whose check is "successful" will be issued with an 'assessment notice'. This allows that person to work or volunteer with children across different types of 'child-related work'. The person will also receive a WWC Check card that should be carried with them at all times they are in child-related work.

Assessment notices will be **valid for three years**, unless the person has a "relevant change" in criminal record. If this occurs, the person is required to report this to their employer, who must then inform the Screening Unit, and a reassessment of the record takes place. The Police may also inform the Screening Unit where a person in child-related work has had a relevant change in criminal record.

The Screening Unit must notify the employer, where known, of the outcome of applications for a Check and if a relevant change has occurred.

#### Unsuccessful

Applicants whose Check is "unsuccessful" will be issued with a 'negative notice', which prohibits any child-related work. In some cases an Interim Negative Notice may be issued while the screening process is completed. This also prohibits that person working in any child-related work until the Screening Unit makes a final decision.

#### Obligations of employers:

- You must not employ a person in child-related employment on more than five days in a calendar year unless he or she:
  - has applied for a Check, or
  - already holds a current Assessment Notice

- You must not employ someone in child-related employment if you are aware that
  - he or she holds a Negative Notice or Interim Negative Notice; or
  - the person has withdrawn his or her Check application; or
  - he or she has a conviction or pending charge for a [Class 1 or Class 2 offence](#), and does not have a current Assessment Notice or an application for one that is still being considered.
- If an employee or volunteer reports a relevant change in criminal record to you, you must report this (in writing) to the Working with Children Screening Unit, as soon as practicable.
- If you receive a written request from the Working with Children Screening Unit, you must provide information or documents to show your compliance with your obligations as an employer.

Employers are able to start someone in child-related work once they have applied for a Check in line with the phasing-in arrangements (outlined below) and while the Check is being processed. The employer does not have to wait until the card is issued. Safeguards are in place to ensure that the Screening Unit notifies the employer if, in the mean time, a Negative Notice or Interim Negative Notice is issued, or if the person subsequently withdraws their application.

### **Checking Card Validity**

WWC Check cards should be checked regularly to ensure that they are still valid. This can be done at the Working with Children Check website, [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au).

## **C2 - National Police Checks for Volunteers**

### **Introduction**

It is a Board directive that all relevant people handling money at Centre or Club and the Board of Management have a National Police Check every three years.

The Office for Seniors Interest and Volunteering (OSIV), in conjunction with the WA Police (WAPOL), runs the National Police Check for Volunteers scheme. This scheme enables volunteer groups to adequately screen volunteers who provide services to vulnerable people, work in positions of financial trust or are involved in driving or other special duties.

This check cannot be used as a substitute for someone obtaining a Working with Children Check under the Working with Children (Criminal Record Checking) Act 2004. The WWC is law whilst the NPCV is a check that responsible organisations optionally employ to get people who may be exempt under the WWC legislation and those that perform duties other than those relevant to working with children screened.

### **Application Process**

This check can only be administered by the WALA, however information regarding volunteers must be collected by the Volunteer Check Officer in each Centre. The following process needs to be undertaken to request a National Police Check for a Volunteer.

1. The Volunteer Check Officer prints copy of the Application for a National Police Check Consent Form from the WALA Resource file or as supplied by the WALA office
2. The Volunteer Check Officer asks volunteers to complete Part A and B of Application for Volunteer National Police Check form giving permission for the check
3. The Volunteer Check Officer checks volunteer's Proof of Identity as outlined on form
4. The Volunteer Check Officer obtains photocopy of Working with Children Application Number from Volunteer (where relevant)
5. The Volunteer Check Officer completes Part C of form The Volunteer Check Officer will then send all the sheets and the cheque for \$10.00 per person into the office 15 Harrogate Street, Leederville 6007.
6. Association Executive Officer files copy of Application for Volunteer Police Check form in a safe place
7. Association Executive Officer emails completed spreadsheet to Police
8. Police reply to Association Executive Officer by email within 5 days – advising if there are any Serious or Minor criminal convictions / charges or any Traffic convictions / charges
9. If there is a serious criminal charge stated then the Association Executive Officer will communicate direct with the applicant and ask them to have a full National Police clearance which will indicate the severity of the infringement.
10. It will be the decision of the Executive Officer in consultation with the Chairman of the Association as to whether the applicant can remain in the position that is held.

### **Costs**

\$10.00 per person checked.

[These fees will be paid by the individual unless otherwise advised..









## PART D: THE CODES OF BEHAVIOUR

### CODES OF BEHAVIOUR

#### D1

##### LITTLE ATHLETES

- Participate in Little Athletics for the “fun of it” and not just to please parents and coaches.
- Compete according to the rules
- Any approach to an official should be in a courteous manner Never argue with an Official
- Control your temper. Verbal abuse of officials or other athletes, deliberately distracting or provoking another athlete is not acceptable nor permitted in our sport.
- Be a good sport. Acknowledge all good results, whether they be by your Centre/Club, or the other Centre/Club.
- Any form of cheating is unacceptable.
- Work equally hard for yourself and/or your Centre/Club as both will benefit
- Treat all athletes as you would like to be treated. Do not interfere with, bully or take unfair advantage of another athlete.
- Co-operate with your coach, club mates and other athletes. Without them there would be no competition.
- Bad language is not to be used at any time. Substance abuse of any kind is unacceptable.

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#### D2

##### PARENTS

- Encourage children to participate if they are interested. However, if a child is not willing do not force him or her.
- Remember children involve in Little Athletics for their enjoyment, not yours.
- .Focus upon the child’s efforts rather than the overall outcome of the event. This assists the child in setting realistic goals related to his/her ability by reducing the emphasis on winning.
- Teach children an honest effort is as important as victory, so the result of each event is accepted without undue disappointment.
- Encourage athletes to always participate according to the rules • Never ridicule or yell at a child for making a mistake or losing an event.
- Turn defeat to victory by encouraging your child to work towards skill improvement, good sportsmanship and attaining personal best performances.
- Recognise the value and importance of coaches and officials of whom the vast majority are volunteers. If you disagree with an officials, raise the issue through the appropriate channels rather than questioning the official’s judgment and honesty in public. Remember, officials give their time and effort for your child’s involvement.

- Demonstrate appropriate social behaviour, by not harassing athletes, coaches or officials, smoking on the arena or being intoxicated.

## D3

### ADMINISTRATORS

- Ensure equal opportunities for participation in athletics are made available to all children within the defined age groups, regardless of ability, size, shape, sex, disability or ethnic origin.
- Ensure that equipment and facilities are safe and appropriate to the ability level of athletes.
- Ensure rules, equipment, events and training schedules take into consideration the age, ability and maturity level of athletes.
- Ensure adequate supervision is provided by coaches and officials capable of developing appropriate positive behaviour and skill technique.
- Involve, where appropriate, athletes in the planning leadership, evaluation and decision-making related to the activity.
- Remember athletes participate for enjoyment and play down the importance of rewards.
- Focus on the need of the athletes rather than the enjoyment of the spectators entertainment.
- Provide clinics aimed at improving the standards of coaching and officiating, with an emphasis on appropriate behaviour and skill technique.
- Assist with the development of Administrators.
- Bad language is not to be used at any time. Substance abuse of any kind is unacceptable.

## D4

### OFFICIALS

- Officiate according to the rules and where subjective judgment is necessary decide on the basis of what is fair to all athletes.
- Be consistent, objective and courteous in calling all infractions
- Commend honest effort not just performance excellence.
- Condemn unsporting behaviour and promote respect for all opponents.
- Use common sense to ensure that the Spirit of the Sport is not lost by over officiating
- Ensure equipment and facilities meet safety standards and are appropriate to the age and ability of the athletes.
- Encourage the principles of participation for fun and enjoyment
- Co-operate with other officials to discourage improper conduct by spectators.
- Make a personal commitment to keep yourself informed of sound officiating principles and rule changes.
- Ensure that your behaviour is consistent with the principles of good sporting behaviour. Actions speak louder than words.
- Bad language is not to be used at any time. Substance abuse of any kind is unacceptable.

## **D5**

### **COACHES**

- Be reasonable in your demands on athletes' time, energy and enthusiasm.
- Take into consideration the maturity level of the children when scheduling and determining the length of training times and selection of events.
- Teach athletes the rules of the sport are mutual agreements which no one should evade or break.
- Group athletes according to age and physical maturity whenever possible.
- Avoid over-coaching the better performing athletes, all athletes deserve and need equal time.
- Remember children participate for fun and enjoyment and winning is only part of their motivation. Never ridicule or yell at children for making mistakes or losing an event.
- Ensure equipment and facilities meet safety standards and are appropriate to the age and ability of the athletes.
- Develop athletes to have a respect for the ability of other athletes as well as for the judgment of officials and coaches.
- Follow the advice of a physician when determining when an injured athlete is ready to recommence training or competition.
- Make a personal commitment to keep yourself informed of sound coaching principles and the principles of growth and development of children.
- Remember that athletes need a coach they can respect. Be generous with your praise when it is deserved for effort and skill. Set a good example, not only with your behaviour, but also with dress and equipment.
- Demonstrate appropriate social behaviour by not harassing athletes, other coaches or officials, smoking or being intoxicated at Little Athletics.
- Bad language is not to be used at any time. Substance abuse of any kind is unacceptable.

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## **D6**

### **SPECTATORS**

- Keep to designated spectator areas and do not encroach on the arena or other competition sites.
- Remember children participate in Little Athletics activities for fun. They are not participating for the entertainment of spectators. They are not small adults.
- Applaud good performances and efforts from each athlete. Congratulate all participants upon their performances regardless of the event outcome.
- Respect the officials' decision. If there is a disagreement, follow the appropriate procedure in order to question the decision and teach the athletes to do likewise.
- Never ridicule or scold an athlete for making a mistake during a competition. Positive comments are motivational.

- Condemn the use of violence and verbal abuse in any form, be it by spectators, coaches, officials or athletes.
- Show respect for each athlete. Without them there would be no events.
- Encourage athletes to follow the rules and the officials decision.
- Demonstrate appropriate social behaviour by not harassing athletes, coaches or officials, smoking on the arena or being intoxicated.
- Bad language is not to be used at any time. Substance abuse of any kind is unacceptable.

## D7

### NON SMOKING POLICY

Little athletics understands the harmful affects of smoking on health, fitness and performance in sport, and as a result has adopted the following Policy:

- ATHLETE/PARTICIPANTS are reminded that smoking adversely affects performances and are prohibited from smoking at all venues whilst engaged in Little Athletic activities.
- COACHES AND OFFICIALS are reminded of their responsibility as role models particularly with juniors, and are asked to refrain from smoking whilst associated with our sport.
- PREMISES and competition areas should be declared smoke free zones – smoking permitted only where a special smoking area is designated.
- SPECTATORS are reminded smoking is inappropriate behaviour in a sporting environment and are asked to respect our Smoking Policy.

VISITING ATHLETES, COACHES, OFFICIALS AND ADMINISTRATORS are also asked to respect our Code of Behaviour and Non Smoking Policy

## WEST AUSTRALIAN LITTLE ATHLETICS

### Guideline Penalties for Breaching of Codes of Behaviour

The principles of natural justice are to be observed when making decisions on breaches of the Codes of Behaviour and any penalties for such breaches.

Any penalties that are imposed are to be appropriate to the seriousness of the breach.

Penalties for breaches of the Codes of Behaviour that occur at events conducted by the WALA that are confined to the day of competition (for example, suspension from one or more events) should be determined by the Arena Manager.

Penalties that go beyond the day of competition should be determined by members of Board of Management present at the track plus the Arena Manager.

Below are recommended guidelines for use by Centres for breaches of the codes of behaviour. All penalties imposed by Centres/Clubs that involve suspensions that extend beyond the day on which the breach occurred must be notified to the WALA Office.

Note: The guideline penalties below are recommended minimum only.

#### Athletes

|                              | <b>1<sup>st</sup> Offence</b>                                | <b>2<sup>nd</sup> Offence</b>                                     |
|------------------------------|--|---|
| Physical Abuse               | Remainder of that competition day + the next competition day | Remainder of that competition day + a 3 week ban from competition |
| Abusive/Threatening Language | 1 week ban from competition                                  | 2 week ban from competition                                       |
| Disrespect for rules         | 1 week ban from competition                                  | 2 week ban from competition                                       |

#### Parents/Officials

|                              | <b>1<sup>st</sup> Offence</b> | <b>2<sup>nd</sup> Offence</b> |
|------------------------------|-------------------------------|-------------------------------|
| Physical Abuse               | 4 week ban from competition   | For the rest of the season    |
| Abusive/Threatening Language | 1 week ban from competition   | 2 week ban from competition   |
| Disrespect for rules         | 1 week ban from competition   | 2 week ban from competition   |

If any breach of conduct is not covered by any of the above, the WALA Board will review the case independently and an appropriate penalty will be determined.

## **Appeals Process**

- An individual may appeal any penalties applied by a Centre or the WALA Board. Appeals will be heard by independent panel made up of three members of the Executive and/or members of the WALA Board, but will not include a member of the Club of which the individual is a member. If the above process does not result in a satisfactory outcome for all parties, an independent mediator may be brought in to hear the appeal.
- Appeals must be lodged with the WALA up to seven (7) days of the penalty being applied.
- An appeal cost of \$55.00(GST inclusive) is to be lodged with the written appeal.
- The findings of the appeals mediation are final.
- The WALA Board reserves the right to review each case independently.

## **PART C: PROCEDURES**

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To ensure due process, consistency and that the principles of natural justice are followed in all aspects of handling or conducting complaints, allegations, investigations, tribunals and disciplinary measures, the West Australian Little Athletics will follow and implement the following procedures:

C1 Complaints Procedure

C2 Mediation Procedure

C3 Reporting Procedure for allegations of child abuse

C4 Hearings and Appeals Tribunal Procedure

C5 Disciplinary Measures

## Attachment C1: COMPLAINTS PROCEDURE

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The complaints procedure applies exclusively to the reporting, investigation and resolution of complaints reported under this policy.

### **Complaint Handling Procedure**

If a complaint relates to Child Abuse allegations, the complainant should report the allegation directly to the police or to the Chairman or to the WALA office who will contact the Police or relevant agency on behalf of the complainant.

The following complaints procedure will be followed by the West Australian Little Athletics in all other cases:

Definition:

Complainant : child/Parent/Guardian or interested person  
When child must be in conjunction with a parent/guardian

1. A complainant:
  - 1.1 Must initially attempt to solve problem with the person or people involved;
  - 1.2 If this is not possible or reasonable, or the attempt does not provide a satisfactory outcome, the complainant may notify the Chairman of the Centre or the Executive Officer of WALA and make an informal or formal complaint.
2. In the event of an informal complaint, the Centre Chairman of the Centre or the Executive Officer of WALA
  - 2.1 May refer the complainant back to attempt to resolve the complaint with the other person
  - 2.2 Will discuss with the complainant their options and possible solutions
  - 2.3 Keep a written record using a Record of Informal Complaint Form – Attachment E??
3. If the informal process does not resolve the complaint to the complainant satisfaction or the complainant wishes to make a formal complaint, the complainant must submit a Record of Formal Complaint Form – Attachment E??
4. On receipt of a formal complaint, WALA Board will appoint the Executive Officer or, if it considers appropriate in the circumstances, an independent expert to investigate the complaint.
5. The Executive Officer or investigator will:
  - 5.1 Gather information regarding the complaint, including information from the person being complained about
  - 5.2 Determine what action should be taken such as continue with the formal resolution process or refer the complaint to a mediator, hearing tribunal or to the police or an appropriate authority.
6. On completion of the investigation, the Executive Officer or investigator will provide WALA Board with a written determination and a finding that the complaint:



- 6.1 Has been successfully mediated
- 6.2 Is substantiated (and if so, make a recommendation as to the appropriate disciplinary sanction)
- 6.3 Is inconclusive
- 6.4 Was knowingly untrue or vexatious
- 6.5 Applied penalty is recommended action as in guidelines.

**Confidentiality**

- 1. All forms and determinations of the investigation will be kept:
  - 1.1 Confidential and will not be disclosed without the complainant's consent, except if required by law or if the disclosure is necessary to effectively deal with the complaint;  
and
  - 1.2 In a secure location

## Attachment C2: MEDIATION

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Mediation is a process by which people who are in conflict can be helped to communicate with each other about what is important for them and how to make decisions about resolving their dispute. Mediators provide a supportive atmosphere and method of talking to one another, to assist in sorting out the issues, coming up with acceptable solutions and making mutually satisfactory agreements.

This attachment outlines the general procedure of mediation that will be followed by WALA

1. The people involved in a formal complaint (complainant and respondent(s)) may work out their own resolution of the complaint or seek the assistance of a neutral third person or a mediator.
2. Mediation will only be recommended:
  - 2.1 If the allegations do not warrant any form of disciplinary action. Serious allegations will not be mediated.
  - 2.2 Mediation looks like it will work (i.e. the versions given by the complainant and respondent tally or almost tally and/or at the very least, it looks as though it will be possible for each party to understand the other party's point of view).
3. Mediation will **not** be recommended if:
  - 3.1 The respondent has a completely different version of the events and they won't deviate from these;
  - 3.2 The complainant or respondent are unwilling to attempt mediation; or
4. If mediation is chosen to try and resolve the complaint, the Chairman of the Centre or designated person will arrange for a mediator to mediate the complaint.
5. The mediator, in consultation with the complainant and respondent(s), will choose the procedures to be followed during the mediation.
6. The mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
7. At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached between the complainant and respondent(s) and it will be signed by them as their agreement.
8. If the formal complaint is not resolved by mediation, the complainant may:
  - 8.1 Write to *the* Executive or the Chairman of the Centre to request that the Executive Officer of WALA or the Chairman of the Centre to reconsider the complaint
  - 8.2 Approach an external agency.

### 1.1. Attachment C3: REPORTING PROCEDURE - CHILD ABUSE

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An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. See Appendix 1 on how to appropriately deal with a child who discloses abuse.

The initial response to a complaint that a child has allegedly been abused should be immediate if the incident/s are serious or criminal in nature while less serious/urgent allegations should be actioned as soon as possible, preferably within 24 hours.

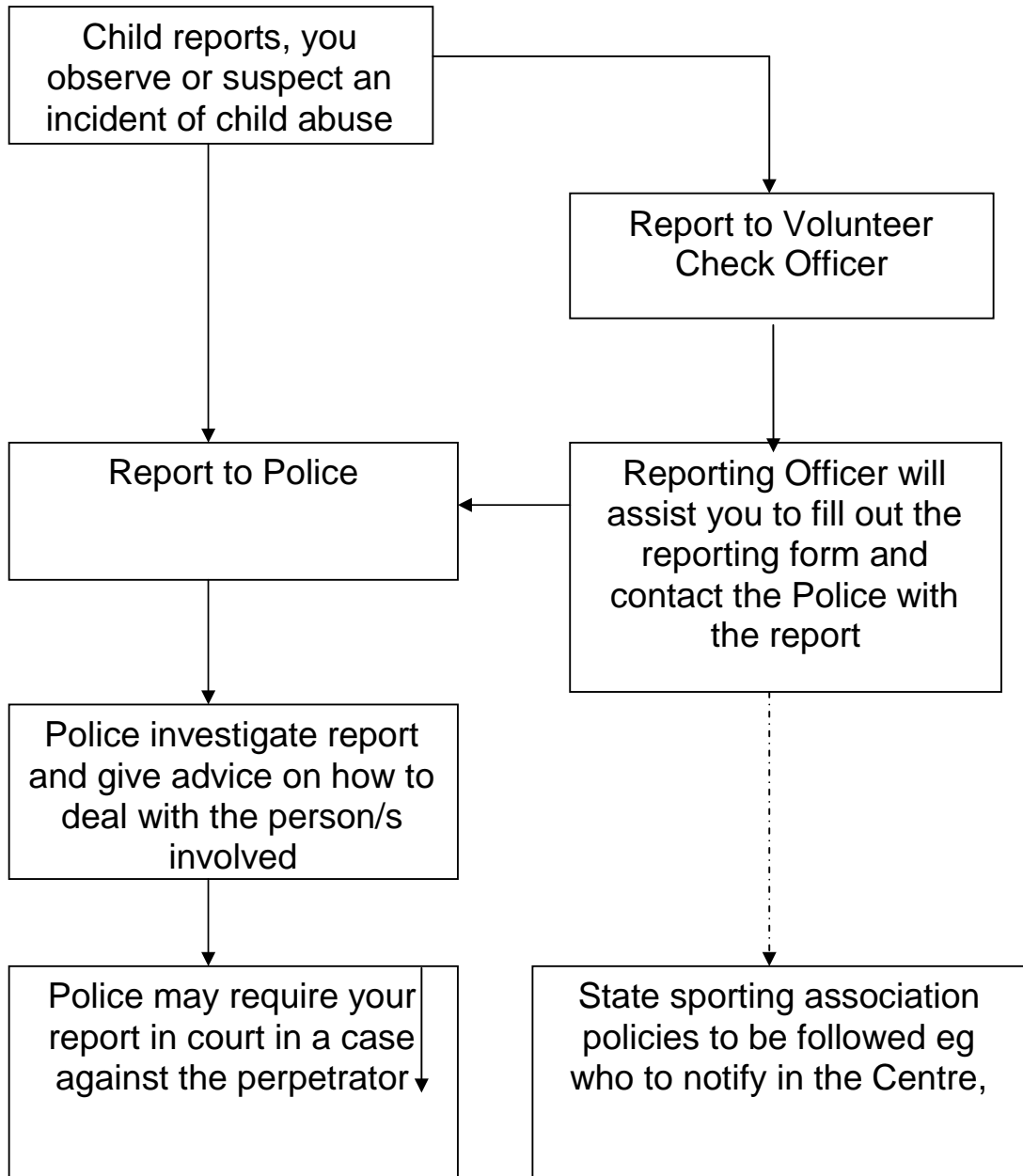
The following procedure should be followed in situations where child abuse is alleged or suspected.

1. The complainant should report allegations directly to the WA Police or Department of Child Protection or to the Volunteer Check Officers (VCO) or to –Association Executive Officer who will contact the Police or relevant agency on behalf of the complainant.
2. The Volunteer Check Officers (VCO) should notify the Centre President and Association Executive Officer about the complaint.
3. In the event that the WA Police or Department of Child Protection notify the VCO or Centre President about an alleged incident the Association Executive Officer should be contacted immediately.
4. The WA Police or Department of Child Protection will investigate the complaint.
5. The WA Police, Department of Child Protection or the Association Executive Officer will assess the risks and recommend possible actions to ensure the child's/children's safety.
6. The Association Executive Officer should consider the WA Police, Department of Child Protection recommendations and take interim action to ensure the child's safety.
7. The Association Executive Officer or Centre President should also address the support needs of the person against whom the complaint is made.
8. The Volunteer Check Officers (VCO) Association Executive Officer or Centre Chairman should make a record of the complaint using the Confidential Record of Child Abuse Allegation Form – Attachment E3.

### **Confidentiality**

1. All forms and determinations of the investigation will be kept:
  - 1.1 Confidential and will not be disclosed without the complainant's consent, except if required by law or if the disclosure is necessary to effectively deal with the complaint;  
and
  - 1.2 In a secure location

Child Abuse reporting process flowchart



## **APPENDIX 1**

### **Responding to Child Abuse allegations or suspicions**

The initial response of the person that receives the complaint from the child (or person on behalf of the child) is crucial to the well-being of the child. It is important for the person receiving the information to:

- Listen carefully to the child.
- Tell the child that you believe them
- Reassure the child that what has occurred is not their fault
- Tell the child you are pleased that they told you
- Do not dispute or dismiss what the child says
- Do not make promises you can't keep, such as promising that you won't tell anyone
- Do not force the child into giving you details of the abuse. Your role is to listen.
- Do not ask any leading questions that may prejudice any subsequent investigation
- Do not discuss the circumstances of the child with others who are not directly involved.

## Attachment C4: HEARINGS & APPEALS TRIBUNAL PROCEDURE

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The following Tribunal Hearing Procedure will be followed by hearings tribunals established by the WALA

### Tribunal Formation and Notification

1. A Tribunal Panel will be constituted following the rules outlined in WALA Member Protection Policy to hear a complaint that has been referred to it by the Executive Officer
2. The Association Executive Officer will organise for a Tribunal to be convened by notifying all Tribunal Panel members that they are required to hear a complaint. The Tribunal Panel members will be provided with a copy of all the relevant correspondence relating to the complaint/allegations.
3. The Tribunal Hearing will be scheduled as soon as practicable, but must allow adequate time (maximum of 14 days) for the person being complained about (respondent(s)) to prepare to respond to the complaint.
4. The number of Tribunal Panel members required to be present throughout the Tribunal Hearing Process will be **Three**
  - 4.1 The Tribunal Panel
    - 4.1.1 Must not include members who have a conflict of interest
    - 4.1.2 Should comprise of at least one person who has knowledge, and preferably experience, of any relevant laws relating to the complaint (e.g. anti-harassment).
    - 4.1.3 Should maintain the minimum number of members required in the event that a member cannot continue, unless the Tribunal Chairperson believes that it is inappropriate for another member to be appointed.
5. The respondent will be provided with the following by the Association Executive Officer
  - 5.1 written notification that a tribunal hearing will take place.
  - 5.2 A copy of any information / documents that have been given to the Tribunal
  - 5.3 Opportunity to be allowed to continue to participate in all WALA activities and events, pending the decision of the Tribunal, including any available appeal process, unless the Association Executive Officer believes it is warranted to exclude the respondent(s) from all or some WALA activities and events, after considering the nature of the complaint.
6. The complainant will be provided, by listed registered mail, with the following by the Association Executive Officer
  - 6.1 written notification that a tribunal hearing will take place.
  - 6.2 A copy of any information / documents that have been given to the Tribunal
  - 6.3 The opportunity to reiterate their complaint should they feel that details of the complaint have been incorrectly or insufficiently summarised for the Tribunal. This should be done as soon as possible so that Tribunal Panel members can be properly informed of the complaint.

### Tribunal Hearing Procedure

7. The following people will be allowed to attend the Tribunal Hearing:

- The Tribunal Panel members;
  - The respondent(s);
  - The complainant;
  - Any witnesses called by the respondent;
  - Any witnesses called by the complainant;
  - Any parent / guardian or support person required to support the respondent or the complainant.
- 8 If the respondent(s) is not present at the Tribunal Hearing at the designated time
- 8.1 and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been carried out correctly.
- 8.2 and the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent(s) is presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been carried out correctly, then the Tribunal Hearing will be rescheduled to a later date.
- 9 At the Tribunal Hearing the Tribunal Chairperson will read out the complaint that is to be judged, ask the respondent(s) if they understand the complaint being made against them. If the person
- 9.1 agrees with the complaint, they will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures.
- 9.2 disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made. The respondent(s) will then be asked to respond to the complaint. Witnesses may be called at this stage.
- 10 The Tribunal will be allowed to:
- consider any evidence, and in any form, that it deems relevant.
  - question any person giving evidence.
  - limit the number of witnesses presented if it is agreed by all parties that they will support the person who requested them, but will not provide any new evidence.
  - Stop any further involvement of any person allowed to be present in the Tribunal Hearing if they display unreasonable or intimidatory behaviour.
- 11 After all of the evidence has been presented the Tribunal Panel will make its decision in private. If the Tribunal believes the complaint has been substantiated on the balance of probabilities (i.e. more probable than not), the respondent will then be given an opportunity to address the Tribunal Panel and make a submission on any disciplinary measures that may be imposed. Only those disciplinary measures outlined in the WALA'S Constitution/Member Protection Policy will be considered. Any disciplinary measure imposed must be reasonable in the circumstances.
- 12 All decisions made by the Tribunal will be based on a majority vote.
- 13 The Tribunal Chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed.

14 Within a week the Tribunal Chairperson will:

- 14.1 Forward to the Association Executive Officer a copy of the tribunal decision including any disciplinary measures imposed.
- 14.2 Forward a letter to the respondent(s) reconfirming the Tribunal's decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal to be made.

### **Appeals Procedure**

15 A complainant or a respondent(s) who is not satisfied with a decision described in the Complaints Procedures can lodge one appeal to WALA on one or more of the following bases:

- 15.1 That a denial of natural justice has occurred; or
- 15.2 That the disciplinary measure(s) imposed is unjust and/or unreasonable.

16 A person wanting to appeal must lodge a letter stating their intention and the basis for their appeal with the Association Executive Officer within 14 days of the relevant decision. An appeal fee of \$55 shall be included with the letter of intention to appeal.]

17 If the letter of appeal or the appeal fee is not received by the Association Executive Officer within the relevant time period the right of appeal will lapse.

18 Upon receipt of the letter of appeal, the Association Executive Officer must convene a special meeting of the Board of Management of the Association to review the letter of appeal and decide whether there are sufficient grounds for the appeal to proceed.

19 If it is considered that the letter of appeal has

- 19.1 not shown sufficient grounds for appeal in accordance with paragraph 15, then the appeal will not proceed and the person will be notified of this decision and the reasons for this decision. The appeal fee will be forfeited.
- 19.2 has shown sufficient grounds to proceed then a Tribunal with a new panel will be convened to rehear the complaint *and the appeal fee will be refunded*. The Chairman of the Board of Management shall follow the Tribunal Formation and Notification procedures outlined above.

20 The Tribunal Hearing Procedure shall be followed for the appeal.

21 The decision of the appeal Tribunal will be final.

### **Attachment C5: DISCIPLINARY MEASURES**

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Any disciplinary measure imposed by Tribunal committee or Board of Management under this policy must:

1. Observe any contractual and employment rules and requirements;
2. Conform to the principles of natural justice;
3. Be fair and reasonable;
4. Be based on the evidence and information presented;



5. Be within the powers of the Tribunal committee or Board of Management to impose the disciplinary measure.

### **Individual**

Subject to contractual and employment requirements, if a finding is made that an individual has breached the WALA's Member Protection Policy (including the Codes of Conduct), one or more of the following forms of discipline may be imposed by Tribunal committee 1. A direction that the individual make a verbal and/or written apology;

2. A written warning;
3. A direction that the individual attend counselling to address their behaviour;
4. A withdrawal of any awards, placing's, records, achievements bestowed in any tournaments, activities or events held or sanctioned by the WALA
5. A demotion or transfer of the individual to another location, role or activity
6. A suspension of the individual's membership or participation or engagement in a role or activity;
7. Termination of the individual's membership, appointment or engagement;
8. Recommend that the WALA terminate the individual's membership, appointment or engagement;
9. In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
10. Any other form of discipline that Tribunal committee or Board of Management considers appropriate.

When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by that individual in the future may result in the imposition of a more serious form of discipline.

### **Organisations**

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

A written warning;

1. A monetary fine;
2. A direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;
3. A direction that any funding granted or given to it by the Australian Little Athletics cease from a specified date;
4. A direction that the Australian Little Athletics cease to sanction events held by or under the auspices of that organisation;
5. A recommendation to Australian Little Athletics that its membership of the Australian Little Athletics be suspended or terminated in accordance with the relevant constitution or rules; and/or
6. Any other form of discipline that the national body or peak organisation considers to be appropriate.

When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by the organisation in the future may result in more serious form of discipline.