

MEMBER PROTECTION POLICY

1.18

REVIEW HISTORY OF ORIENTEERING AUSTRALIA'S MEMBER PROTECTION POLICY

Version	Date reviewed	Date endorsed	Content reviewed/purpose
One	December 2004	January 2005	<ul style="list-style-type: none">• First Member Protection Policy
Two	December 2007	March 2008	<ul style="list-style-type: none">• Completely re-written to new ASC guidelines
Three	July-December 2009	December 2009	<ul style="list-style-type: none">• Updated for new ASC recommendations on child protection
Four	March 2011	March 2011	<ul style="list-style-type: none">• Updated South Australian child protection section
Five	Aug 2012	Aug 2012	<ul style="list-style-type: none">• Updated for new ASC recommendations
Six	Dec 2013	Dec 2013	<ul style="list-style-type: none">• Updated for new ASC recommendations
Seven	Dec 2015	Dec 2015	<ul style="list-style-type: none">• Updated for new ASC recommendations
Eight	Mar 2018	Mar 2018	<ul style="list-style-type: none">• Add missing Codes of Conduct to Part B, and correct reference to Part B in Part A section 4. Added Code of Conduct declaration. Add missing E1 and E2 references to Contents.
Nine	Sept 2020	Sept 2020	<ul style="list-style-type: none">• Included additional wording in clause 7.8 on gender equity discrimination and harassment. Separated attachments.

PREFACE

Orienteering Australia has developed and implemented a Member Protection Policy, based on the templates provided over time by the Australian Sports Commission to provide guidelines for the protection of the health, safety and wellbeing of members of its constituent State and Territory Associations and affiliated Clubs and all who participate in orienteering activities throughout Australia.

Orienteering Australia is committed to and encourages its constituent State and Territory Associations and affiliated Clubs to be committed to:

- Providing an environment safe for children, that is free from harassment, discrimination and abuse for everyone, and promotes respectful and positive behaviour and values.
- Providing a code of conduct forming the basis of appropriate and ethical conduct which everyone must abide by.
- This policy being an essential part of Orienteering Australia's proactive and preventative approach to tackling inappropriate behaviour.
- As President of Orienteering Australia I am personally committed to ensuring that everyone associated with the organisation complies with the policy.

Blair Trewin
President,
Orienteering Australia
Dec 2015

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PART A: MEMBER PROTECTION POLICY**1. Orienteering Australia's Core Values**

1.1 The purpose of Orienteering Australia is to enrich the lives of Australians through Orienteering.

1.2 The values of Orienteering Australia are:

- We respond to the needs of our clients;
- We consult our stakeholders and endeavour to reach common understandings;
- We are open and transparent in the process of allocation of resources;
- We listen and communicate openly;
- We strive for excellence through cooperation and teamwork;
- We make the most of every opportunity to be leaders in our field;
- We accept full accountability for our decisions and actions.

2. Purpose of this policy

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

2.2 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, Orienteering Australia will take disciplinary action against any person or organisation bound by this policy if they breach it. Where this policy provides for action by a State/Territory association official or Member Protection Tribunal and none exists in a particular State or Territory, the matter will be handled by the Orienteering Australia Executive Officer (or State/Territory association equivalent) or Member Protection Tribunal as appropriate.

2.3 This policy has been endorsed by the Orienteering Australia Board and 2015 Orienteering Australia Conference and has been incorporated into our Operational Manual. This updated copy of the policy was issued on 1st October 2020 and will operate until replaced. This policy and/or its attachments may be amended from time to time by Orienteering Australia. Copies of the policy and its attachments can be obtained from our website www.orienteeing.asn.au or from Orienteering Australia's Executive Officer at eo@orienteeing.asn.au, PO Box 3379, North Strathfield NSW 2137.

3. To Whom this Policy Applies

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

- Individuals sitting on boards, committees and subcommittees;
- Employees and volunteers;
- Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- Coaches and assistant coaches;
- Athletes and players;
- Referees, umpires and other officials;
- Members, including life members;
- Member associations;
- Affiliated clubs and associated organisations;
- Peak associations and the national body;
- Any other person or organisation that is a member of or affiliated to Orienteering Australia;
- Parents, guardians, spectators and sponsors to the full extent that is possible.

3.2 This policy will continue to apply to a person even after they have stopped their association or employment with Orienteering Australia if disciplinary action, relating to an allegation of child abuse against that person, has commenced. [\[contents\]](#)

4. Code of Conduct

Orienteering Australia requires every individual and organisation bound by this policy to:

- 4.1 Be ethical, fair and honest in all their dealings with other people and Orienteering Australia;
- 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 above other considerations;
- 4.4 Comply with Orienteering Australia'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/Territory), 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 B of this policy.

5. Organisational Responsibilities

Orienteering Australia, Member Associations and Affiliated Clubs must:

- 5.1 Adopt, implement and comply with this policy;
- 5.2 Ensure that this policy is enforceable;
- 5.3 Publish, distribute and promote this policy and the consequences of any breaches of the policy;
- 5.4 Promote and model appropriate standards of behaviour at all times;
- 5.5 Deal with any breaches of or complaints made under this policy in an appropriate manner;
- 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 all people and organisations to whom this policy applies;
- 5.8 Use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour;
- 5.9 Monitor and review this policy at least annually.

6. Individual Responsibilities

Individuals bound by this policy must:

- 6.1 Make themselves aware of the contents of this policy;
- 6.2 Comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy ;
- 6.3 Consent to the screening requirements set out in this policy, and any state/territory Working with Children Checks (or equivalent) if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law;
- 6.4 Place the safety and welfare of children above other considerations;
- 6.5 Be accountable for their behaviour; and
- 6.6 Comply with any decisions and/or disciplinary measures imposed under this policy.

7. Position Statements**7.1 Child Protection**

Orienteering Australia is committed to the safety and well-being of all children and young people who participate in our sport or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained.

We acknowledge the valuable contribution made by our staff, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

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7.1.1 Identify and analyse risk of harm

We will develop and implement a risk management strategy, including a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the actions of an employee, volunteer or another person.

7.1.2 Develop codes of behaviour

We will develop and promote a code of behaviour that sets out the conduct we expect of adults when they deal and interact with children involved in our sport, especially those in our care. We will also implement a code of behaviour to promote appropriate conduct between children.

These codes will clearly describe professional boundaries, ethical behaviour and unacceptable behavior. (Refer to the attachments in Part B of this policy.)

7.1.3 Choose suitable employees and volunteers

We will take all reasonable steps to ensure that our organisation engages suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This will include using a range of screening measures.

We will ensure that Working with Children Checks are conducted for all employees and volunteers who work with children, where an assessment is required by law. If a criminal history report is obtained as part of their screening process, we will handle this information confidentially and in accordance with the relevant legal requirements. (Refer to the attachments in Part C of this policy.)

7.1.4 Support, train, supervise and enhance performance

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

7.1.5: Empower and promote the participation of children

We will encourage children and young people to be involved in developing and maintaining a child-safe environment for our sport.

7.1.6: Report and respond appropriately to suspected abuse and neglect

We will ensure that all our employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable grounds that a child has been, or is being, abused or neglected. (Refer to the attachments in Part E of this policy.)

Further, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child, or is in breach of this policy, he or she may make an internal complaint to us. (Refer to the attachments in Part D of this policy.)

7.2 Taking Images of Children: Orienteering photos and videos in newspapers, newsletters and magazines, promotional brochures, television programs and Internet websites are essential for promoting the sport across the age groups. However, images of children can be used inappropriately or illegally. Orienteering Australia will only use appropriate images of a child or groups of children, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc. The use of camera phones, videos and cameras inside changing areas, showers and toilets which we control or are used in connection with our sport is forbidden.

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There are some circumstances where publication of a named image of a child may place that child in danger. Orienteering Australia and its clubs and associations seeks the assistance of parents and guardians in being advised if they do not want images of their children taken or published. Orienteering Australia encourages clubs, associations and event organisers to publicise that images may be taken at competition, social and other public events for promotional purposes unless a parent does not consent for such images to be published of their children. Where possible, official photographers will avoid taking images of these children and any images inadvertently taken will be deleted from stored files as soon as possible.

If Orienteering Australia uses an image of a child, it will not name or identify him/her or use both the first name and surname of the child unless it has first obtained consent to do so from the parent/guardian. Orienteering Australia will not display or make publicly available in any way personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. Orienteering Australia acknowledges that information about an individual's hobbies, likes/dislikes, school, etc can be used as grooming tools by paedophiles or other persons. As such, Orienteering Australia will take reasonable care when publishing such information in a public forum.

Orienteering Australia requires its members, member associations and clubs to do likewise.

7.3 Background information for parents and guardians on the nature of orienteering.

To avoid misunderstandings about responsibilities for supervision during training, coaching and competition activities, parents and guardians need to be made aware that orienteering activities may generally involve the following:

1. During competitive events non-beginner and secondary school age and above participants will be expected to navigate through the orienteering course alone; this may often be in bushland areas.
2. During training and coaching activities, participants may
 - undertake an orienteering training activity alone
 - undertake an orienteering training activity in a small group of other participants
 - undertake an orienteering training activity as a one-on-one basis with a coach.

These activities may be undertaken in a range of environments including bushland and park settings, and are normal orienteering training practices. If a parent or guardian requires more information on the activities that will be undertaken on a junior training camp or trip, they should consult with the camp/trip's leadership team.

7.4 Supervision of children and transportation. Parents/guardians, event organisers and members have a responsibility to take common sense precautions where possible in relation to supervision of children at events. For example, young children should be warned away from and never left unattended near hazard areas close to assembly areas such as dams, flowing water courses, pits, steep embankments and ground with hazardous surfaces. If a member finds a child unsupervised in this kind of situation, they should assume responsibility for the child's safety until the parent/guardian or supervisor can be found. Similarly, a member encountering a child lost on a course should provide appropriate assistance. A child who through age, inexperience or an impairment is not capable of reading a map and navigating with a reasonable prospect of completing a course should either be accompanied by a parent or responsible adult, or undertake an easier course, or receive sufficient instructions on navigation and safety issues to successfully complete the course.

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Any adult working with children in orienteering, or on an away trip with children, such as coaches, managers and people operating a crèche at an event should undertake a police check and hold any clearances required under state and territory legislation. Detailed guidelines for supervision for away trips for children are available on the Australian Sports Commission's '[Play by The Rules](#)' website.

Parents/guardians have a responsibility to turn up on time to collect their child from an event or training session for reasons of courtesy and safety. If it appears a member will be left alone at the end of a training session or event with just one child, they will ask another member to stay until the child is collected.

Parents/guardians are responsible for transporting their children to and from orienteering club activities (e.g. practice and organised events). Where they delegate that responsibility, it is recommended that a child 15 years of age or under not travel alone in a car with an adult on their own such as a coach or a club member, nor should such a child be alone in a non-public place with any adult who is not the parent or guardian.

7.5 Anti-discrimination and harassment

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

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

7.5.1 Discrimination Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by state or federal anti-discrimination laws.

The personal characteristics protected by anti-discrimination laws include attributes such as race, age, disability, gender and race. The full list of protected personal characteristics is in the "Definitions" set out in the Dictionary of Terms.

Discrimination can be either direct or indirect.

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

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

7.5.2 Harassment

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

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

Sexual harassment is one type of harassment. Sexual harassment is unwelcome conduct, remarks or innuendo of a sexual nature.

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It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

7.5.3 Prohibition against discrimination and harassment

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the "Definitions" set out in the Dictionary of Terms.

Any person who believes they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy is encouraged to raise their concerns with us. A person may make an internal complaint, and in some circumstances, they may also be able to make a complaint to an external organisation. (Refer to the attachments in Part D of this policy.)

7.6 Intimate relationships

Orienteering Australia understands that consensual intimate relationships (including, but not limited to sexual relationships) between coaches or officials and adult athletes may take place legally. However, this policy will help ensure that the expectations of coaches or officials are clear and, to ensure that if an intimate relationship does exist or develop between a coach or official and an adult athlete, that relationship will be managed in an appropriate manner.

Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. In particular, they must ensure that they treat athletes in a respectful and fair manner, and that they do not engage in sexual harassment, bullying, favoritism or exploitation.

Orienteering Australia takes the position that consensual intimate relationships between coaches or officials and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach or official and the athlete.

We recommend that if an athlete attempts to initiate an intimate relationship with a coach or official, the coach or official should discourage the athlete's approach and explain to the athlete why such a relationship is not appropriate.

If a consensual intimate relationship does exist or develop between an adult athlete and a coach or official, the coach or official is expected to ensure that the relationship is appropriate and that it does not compromise impartiality, professional standards or the relationship of trust the coach or official has with the athlete and/or other athletes.

In assessing the appropriateness of an intimate relationship between a coach or official and an adult athlete, relevant factors include, but are not limited to:

- the relative age and social maturity of the athlete;
- any potential vulnerability of the athlete;
- any financial and/or emotional dependence of the athlete on the coach or official;
- the ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career;
- the extent of power imbalance between the athlete and coach or official; and the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.

It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of its appropriateness and accordingly

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they are encouraged to seek advice from the Member Protection Information Officer to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

If it is determined that an intimate relationship between a coach or official and an adult athlete is inappropriate or unprofessional we may take disciplinary action against the coach or official up to and including dismissal. Action may also be taken to stop the coaching relationship with the athlete. This could include a transfer, a request for resignation or dismissal from coaching duties.

If a coach, official or athlete believes they are being, or have been, harassed they are encouraged to seek information and support the Member Protection Information Officer. Our complaints procedure is outlined in Part D of this policy.

7.7 Pregnancy

Orienteering Australia is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our sport. We will not tolerate any discrimination or harassment against pregnant women.

Orienteering Australia will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with Orienteering Australia.

We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint. (Refer to the attachments in Part D of this policy.)

7.8 Gender identity

Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other than male or female. Some terms used to describe a person's gender identity include trans, transgender and gender diverse.

7.8.1 Gender identity discrimination and harassment

Federal, state and territory anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity. (See definition in Dictionary of terms).

Orienteering Australia is committed to providing a safe, fair and inclusive sporting environment all where people can contribute and participate.

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We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity.

Orienteering Australia is committed to an inclusive and welcoming environment for all participants in orienteering, irrespective of their gender identity. Orienteering Australia's Inclusion Policy encourages participation by transgender people.

All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual. (Refer to the attachments in Part D of this policy.)

We expect all people bound by this policy to act with sensitivity when a person is undergoing gender transition/affirmation.

If any person believes that they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy because of their gender identity, they may make a complaint.

7.8.2 Participation in sport

Orienteering Australia recognises that excluding people from participating in sporting events and activities because of their gender identity may have significant implications for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport on the basis of the gender with which a person identifies.

If issues of performance advantage arise, we will consider whether the established discrimination exceptions for participation in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.

Drug testing procedures and prohibitions also apply to people who identify as transgender. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption.

Many of the competitions staged by Orienteering Australia and its member associations are open to all, regardless of gender. For those competitions or classes which are designated for women, eligibility of transgender people to participate in these is according to the provisions of the International Orienteering Federation's current transgender policy (available from the IOF's [Statutes, Codes and Policies page](#)).

7.8.3. Intersex status

Federal anti-discrimination law, and some state and territory anti-discrimination laws, provide protection from discrimination against a person on the basis of their intersex status. (See Dictionary of terms).

Orienteering Australia is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their intersex status.

7.9 Responsible Service and Consumption of Alcohol

Orienteering Australia endorses responsible consumption of alcohol as a contributor to the social enjoyment of the sport for adults after they have completed their events. However, our policy in general is that [\[contents\]](#)

- alcohol should not be available at an orienteering event at which children under 18 are the sole participants in the sport
- alcohol-free social events be provided for young people and families;
- food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
- a staff member or club or Association official is present at events we hold or endorse where alcohol is served to ensure appropriate practices in respect of the consumption of alcohol are followed;
- safe transport options be promoted as part of any event we hold or endorse where alcohol is served.

Orienteering Australia's Code of Conduct for responsible behaviour for junior representative teams includes the following requirement in respect of alcohol consumption:

- A team member may not consume alcohol while in Australian uniform or representing Orienteering Australia, unless he or she is either over the age of consent of the host country or 18 years or older (whichever is the oldest) and the consumption is in moderation and at the discretion of the Manager.
- A team member who does not comply with this rule may be subject to disciplinary action.

State association representative junior teams will comply with the respective rules in relation to alcohol consumption of their state Secondary School Sport Association or State Orienteering Association, as applicable.

7.10 Smoke-free environment

Orienteering Australia is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse. Smoking also presents a significant fire risk at many of the venues used for orienteering.

The following policies should be applied to sporting and social events:

- No smoking shall occur at or near any sporting event or competition involving persons under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers;
- Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas;
- Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity for any of the Orienteering Australia, state association, Club or representative team, on and off the field.

7.11 Bullying

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

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

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

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

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;

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- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. Orienteering Australia will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a referee, teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club, league or peak sporting body.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. (Refer to the attachments in Part D of this policy.)

7.12 Social networking

Orienteering Australia acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.

In particular, social media activity including, but not limited to, postings, blogs, status updates, and tweets:

- must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate;
- must not contain material which is inaccurate, misleading or fraudulent;
- must not contain material which is in breach of laws, court orders, undertakings or contracts;
- should respect and maintain the privacy of others; and
- should promote the sport in a positive way.

7.13 Other relevant policies

Other Orienteering Australia relevant policies can be found in the OA [Operational Manual](#). Some of the policies which contribute to the welfare of all those involved in our activities include the following contained in the Operational Manual leaflets:

- Anti-doping Policy
- Infectious Diseases Policy
- Gender Equity Policy
- Risk Management Policy
- Privacy Policy
- Conflict Resolution
- Appeals

8. Complaints Procedures

8.1 Handling complaints

Orienteering Australia aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of procedural fairness.

Any person (a complainant) may report a complaint about a person, people or organisation bound by this policy (respondent) if they feel they have been discriminated against, harassed, bullied or there has been any other breach of this policy. [\[contents\]](#)

In the first instance, complaints should be reported to the relevant official, e.g. Member Protection Information Officer, club or State Secretary, Executive Officer.

If a complaint relates to behaviour or an incident that occurred at the:

- state level, or involves people operating at the state level, then the complaint should be reported to and handled by the relevant state association in the first instance
- club level, or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.

Only matters that relate to, or which occurred at, the national level, as well as serious cases referred from the state and club level, should be dealt with by the national body.

A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the relevant official, e.g. Member Protection Information Officer, club or State Secretary, Executive Officer, should consider whether that is an appropriate way to handle the particular complaint. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our procedures for handling and resolving complaints are outlined in Attachment D1.

Individuals and organisations may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

Where the Executive Officer has a conflict of interest with respect to a complaint, or is otherwise unable to handle that complaint, the Board will appoint an alternative person (hereafter referred to as the "delegate") to fulfill the functions of the Executive Officer under this policy.

8.2 Improper complaints and victimisation

Orienteering Australia aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against any person making a complaint.

We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint or supporting another person's complaint.

If at any point in the complaint handling process the relevant official, e.g. Member Protection Information Officer, club or State Secretary, or Executive Officer, considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or intended to cause distress to the respondent, the matter may be referred to the relevant committee/Member Protection Tribunal for review and appropriate action, including possible disciplinary action against the complainant.

8.3 Mediation

Orienteering Australia aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the Member Protection Information Officer will, in consultation with the complainant, arrange for an independent mediator where possible

Lawyers are not able to participate in the mediation process.

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More information on the mediation process is outlined in Attachment D2 of this policy.

8.4 Member Protection Tribunals

In accordance with Orienteering Australia rules a Tribunal may be convened to hear a proceeding:

- referred to it by the Executive Officer or other designated official
- referred to it or escalated by a state association [because of the serious nature of the complaint, because it was unable to be resolved at the state level or because the policy of the state association directs it to be]
- for an alleged breach of this policy.

Our Tribunal procedure is outlined in Attachment D4.

A respondent may lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in Attachment D4.

Every organisation bound by this policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

9. What is a Breach of this policy

It is a breach of this policy for any person or organisation bound by this policy to do anything contrary to this policy, including but not limited to:

- 9.1 breaching the codes of behaviour (see Part B of this policy);
- 9.2 bringing orienteering and/or Orienteering Australia into disrepute, or acting in a manner likely to bring orienteering and/or Orienteering Australia into disrepute;
- 9.3 failing to follow Orienteering Australia policies (including this policy) and our procedures for the protection, safety and well-being of children;
- 9.4 discriminating against, harassing or bullying (including cyber-bullying) any person;
- 9.5 victimising another person for making or supporting a complaint;
- 9.6 engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- 9.7 verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 9.8 disclosing to any unauthorised person or organisation any Orienteering Australia information that is of a private, confidential or privileged nature;
- 9.9 making a complaint that they know to be untrue, vexatious, malicious or improper;
- 9.10 failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; and
- 9.11 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

10. Disciplinary measures

Orienteering Australia may impose disciplinary measures on an individual or organisation for a breach of this policy.

Any disciplinary measure imposed will be:

- fair and reasonable;
- applied consistent with any contractual and employment rules and requirements;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined in accordance with our constituent documents, by-laws, this policy and/or the rules of the sport.

10.1 Individual

Subject to contractual and employment requirements, if a finding is made by a Tribunal that an individual has breached this policy, one or more of the following forms of discipline may be imposed.

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- 10.1.1 a direction that the individual makes a verbal and/or written apology;
- 10.1.2 a written warning;
- 10.1.3 a direction that the individual attend counselling to address their behaviour;
- 10.1.4 a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by Orienteering Australia;
- 10.1.5 a demotion or transfer of the individual to another location, role or activity;
- 10.1.6 a suspension of the individual's membership or participation or engagement in a role or activity;
- 10.1.7 termination of the individual's membership, appointment or engagement;
- 10.1.8 a recommendation that Orienteering Australia terminate the individual's membership, appointment or engagement;
- 10.1.9 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;
- 10.1.10 a fine;
- 10.1.11 any other form of discipline that the Member Protection Tribunal considers appropriate.

10.2 Organisation

If a finding is made that an Orienteering Australia member organisation or affiliated organisation has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by the Member Protection Tribunal

- 10.2.1 a written warning;
- 10.2.2 a fine;
- 10.2.3 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;
- 10.2.4 a direction that any funding granted or given to it by Orienteering Australia cease from a specified date;
- 10.2.5 a direction that Orienteering Australia cease to sanction events held by or under the auspices of that organisation;
- 10.2.6 a recommendation to Orienteering Australia that its membership of Orienteering Australia be suspended or terminated in accordance with the relevant constitution or rules;
- 10.2.7 any other form of discipline that the national body or peak organisation considers reasonable and appropriate.

10.3 Factors to consider

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

- the nature and seriousness of the breach
- if the person knew, or should have known, that the behaviour was a breach of the policy
- the person's level of contrition
- the effect of the proposed disciplinary measures on the person, including any personal, professional or financial consequences
- if there have been any relevant prior warnings or disciplinary action
- the ability to enforce disciplinary measures if the person is a parent or spectator (even if they are bound by the policy)
- any other mitigating circumstances.

11. Dictionary of terms

This Dictionary sets out the meaning of words used in this policy and its attachments, without limiting the ordinary and natural meaning of the words. Further detail or definitions that are specific to different states and territories can be sourced from the relevant child protection authorities or equal opportunity and anti-discrimination commissions.

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Abuse is the violation of an individual's human or civil rights through the act or actions of another person or persons. Types of abuse include physical abuse, psychological or emotional abuse, sexual abuse, constraints and restrictive practices, financial abuse, legal or civil abuse and systemic abuse.

Affiliated club means an orienteering club affiliated with a state or territory orienteering association.

Child means a person who is under the age of 18.

Child abuse involves conduct which puts a child at risk of harm and may include:

- **physical abuse**, which occurs when a child has suffered, or is at risk of suffering, non-accidental physical trauma or injury. This may include, but is not limited to, hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity.
- **sexual abuse**, which occurs when an adult, other child, or adolescent uses their power or authority to involve a child in a sexual activity or any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography, including child pornography, or inappropriate touching or conversations).
- **emotional abuse**, which occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism, hostility, teasing/bullying, humiliation, taunting, sarcasm, yelling, name-calling or placing unrealistic expectations on a child.
- **neglect**, which occurs when a child's basic necessities of life are not met, and their health and development are affected. Basic needs include food, water, shelter, adequate clothing, personal hygiene, timely provision of medical treatment and adequate supervision.

Complaint means a complaint made under clause 8 of this policy.

Complainant means the person making a complaint.

Complaint handler/manager means the person appointed under this policy to investigate a complaint.

Delegate means a person appointed by the Board to perform the functions of the Executive Officer under this policy in the event that the Executive Officer is unable to perform those functions because of a conflict of interest or for some other reason.

Discrimination occurs when someone is treated (or is proposed to be treated) unfairly or less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws. This is known as direct discrimination. Indirect discrimination occurs when there is (or is proposed) an unreasonable requirement, condition or practice that seems to treat everyone equally, but which has or is likely to have the effect of disadvantaging persons with a personal characteristic covered by anti-discrimination laws.

In Australia, it is against the law to discriminate against someone because of:

- age
- sex or gender
- gender identity
- intersex status
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration
- disability, mental and physical impairment
- family/carer responsibilities, status as a parent or carer
- marital status
- pregnancy, potential pregnancy, breastfeeding
- sexual orientation and gender identity

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- physical features
- irrelevant medical record
- irrelevant criminal record, spent convictions
- political beliefs or activities
- religion, religious beliefs or activities
- national extraction or social origin
- lawful sexual activity
- profession, trade, occupation or calling
- member of association or organisation of employees or employers, industrial activity, trade union activity
- defence service
- personal association with someone who has, or is assumed to have, any of the above characteristics

Examples of discrimination can be found when undertaking the Play by the Rules online training on [Harassment and Discrimination](#).

Some exceptions to state, territory and federal anti-discrimination law apply, including exceptions for sporting activities, such as:

- holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years);
- excluding people on the basis of their 'excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who are under the age of 12 years); and
- not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity.

Harassment is any type of unwelcome behaviour which has the effect of offending, humiliating or intimidating the person harassed. Unlawful harassment can be based on any of the personal characteristics covered by anti-discrimination law, such as a person's race, sex, pregnancy, marital status or sexual orientation (see the list under "Discrimination").

Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify people on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability (see also "Vilification").

Member means a member of an orienteering club auspiced by or affiliated with a state or territory orienteering Association in Australia.

Member Protection Information Officer means a person appointed by us to be the first point of contact for a person reporting an issue or a complaint under, or a breach of, this policy.

Procedural fairness requires that:

- the respondent knows the full details of what is being said against him or her and they have the opportunity to respond;
- no person may judge their own case; and
- the decision-maker(s) must be unbiased, fair and just.

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Police check means a national criminal history record check conducted as a pre-employment, pre-engagement or current employment background check on a person.

Policy, policy and this policy means this Member Protection Policy.

Respondent means the person whose behaviour is the subject of the complaint.

Role-specific codes of conduct (or behaviour) means standards of conduct required of people holding certain roles in our organisation (e.g. coaches, officials, umpires).

Sexual harassment means unwelcome behaviour of a sexual nature which could reasonably be expected to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwelcome physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Sexual harassment does not have to be intentional.

Sexual offence means a criminal offence involving sexual activity or acts of indecency. Because of differences under state and territory laws, this can include but is not limited to:

- rape
- indecent assault
- sexual assault
- assault with intent to commit sexual acts
- incest
- sexual penetration of child under the age of 16 years
- indecent act with child under the age of 16 years
- sexual relationship with child under the age of 16 years
- sexual offences against people with impaired mental functioning
- abduction and detention
- procuring sexual penetration by threats or fraud
- procuring sexual penetration of child under the age of 16 years
- bestiality
- soliciting a child under the age of 16 years to take part in an act of sexual penetration, or an indecent act
- promoting or engaging in acts of child prostitution
- obtaining benefits from child prostitution
- possession of child pornography
- publishing child pornography and indecent articles.

Transgender 'Transgender' is an umbrella term that refers to a person whose gender identity is different to their physical sex as recorded at birth. Transitioning refers to the process where a transgender person commences living as a member of another sex. This is sometimes referred to as the person 'affirming' their gender because transitioning means they start living in what they identify as their true gender. For people who are transitioning/affirming their gender, having their identity fully recognised in all areas of life is a crucial part of the experience of living as their affirmed gender.

Sexual orientation: The term 'sexual orientation' refers to a person's emotional or sexual attraction to another person, including, amongst others, the following identities: heterosexual, gay, lesbian, bisexual, pansexual, asexual or same-sex attracted.

Gender identity: The term 'gender identity' refers to a person's deeply held internal and individual sense of gender.

Gender expression: The term 'gender expression' refers to the way in which a person externally expresses their gender or how they are perceived by others.

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Intersex: The term 'intersex' refers to people who have genetic, hormonal or physical characteristics that are not exclusively 'male' or 'female'. A person who is intersex may identify as male, female, intersex or as being of indeterminate sex.

Victimisation means treating someone unfairly or unfavorably, or threatening to do so, because that person has, or intends to, pursue their right to make any complaint, including a complaint under government legislation (e.g. anti-discrimination legislation) or under this policy, or for supporting another person to make complaint.

Vilification means behaviour that occurs in public which incites hatred towards, serious contempt for, or revulsion or severe ridicule of a person or group of people because that person or persons have a particular personal characteristic. Anti-discrimination laws in Australia make it unlawful to vilify a person or group of persons on the basis of race, religion, homosexuality, transgender status and HIV/AIDS status.

NOTE : Additional obligations may apply under relevant/applicable state or territory anti-discrimination laws.

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PART B: CODES OF BEHAVIOUR

We seek to provide a safe, fair and inclusive environment for everyone involved in our organisation and in our sport.

To achieve this, we require certain standards of behaviour by orienteering event participants, coaches, officials, administrators, parents/guardians (of child participants) and spectators.

Our codes of behaviour are underpinned by the following core values.

- To act within the rules and spirit of our sport.
- To display respect and courtesy towards everyone involved in our sport and prevent discrimination and harassment.
- To prioritise the safety and well-being of children and young people involved in our sport.
- To encourage and support opportunities for participation in all aspects of our sport.

ATTACHMENTS

- Attachment B1: [General Code of Conduct](#)
- Attachment B2: [Coach Code of Conduct](#)
- Attachment B3: [Officials Code of Conduct](#)
- Attachment B4: [Player / Athlete Code of Conduct](#)
- Attachment B5: [Administrator \(Volunteer\) Code of Conduct](#)
- Attachment B6: [Parent / Guardian Code of Conduct](#)
- Attachment B7: [Spectator Code of Conduct](#)
- Attachment B8: [Code of Conduct Declaration](#)

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PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

We are committed to providing a safe environment for children. As part of this, we will recruit staff and volunteers who do not pose a risk to children.

Employment screening and Working with Children Checks can involve criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children and young people.

Working with Children Check laws are now in place in all States and Territories.

Orienteering Australia, including our state associations and clubs, will meet the requirements of the relevant state or territory Working with Children Check laws.

Individuals travelling with children and young people to another state or territory in a work-related capacity must comply with the screening requirements of that particular state or territory.

ATTACHMENTS

- Attachment C1: [Member Protection Declaration](#)
- Attachment C2: [Working with Children Check requirements](#)

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PART D: COMPLAINT HANDLING PROCEDURES

We will deal with all complaints in a fair, timely and transparent manner. All complaints will be treated seriously.

We will provide individuals with an informal and informal process to resolve the matter, along with access to an external complaint handling body, based on the nature of the complaint and our rules and regulations.

We also provide an appeals process for those matters.

We will maintain confidentiality where possible and as provided in this policy and seek to ensure that no one is victimised for making, supporting or providing information about a complaint.

ATTACHMENTS

- Attachment D1: [Complaints procedure](#)
- Attachment D2. [Mediation](#)
- Attachment D3. [Investigation procedure](#)
- Attachment D4. [Tribunal procedure](#)

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PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

We will ensure that all the complaints we receive, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint.

This information, and any additional records and notes, will be treated confidentially (subject to disclosure required by law or permitted under this policy) and stored in a secure place.

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

We will ensure that everyone who works with our organisation in a paid or unpaid capacity understands how to appropriately receive and record allegations of child abuse and neglect and how to report those allegations to the relevant authorities in their state or territory.

ATTACHMENTS

- Attachment E1: [Record of informal complaint](#)
- Attachment E2: [Record of formal complaint](#)
- Attachment E3: [Handling an allegation of child abuse](#)
- Attachment E4: [Confidential record of child abuse allegation](#)
- Attachment E5: [Record of Mediation](#)

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