

# Member Protection Policy

By-Law No.1



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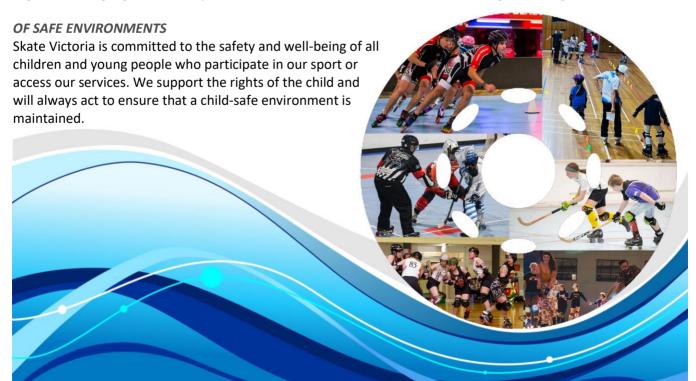
# Acknowledgement

# **OF COUNTRY**

Skate Victoria acknowledges the Traditional Custodians of country throughout Australia and their connections to land, sea, and community. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

# **OF DIVERSITY AND INCLUSION**

Skate Victoria recognises that inclusion is about making sure our sport reflects the diversity of all participants and are committed to providing a safe, welcoming, and respectful culture where everyone feels welcome and accepted regardless of age, gender, ability, socio economic status or cultural, ethnic, or religious background.





# **Application of Policy**



# 1. Member Protection Policy Statement

This Member Protection Policy ("policy") aims to assist Skate Victoria ("our", "us" or "we") to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport as per the National Integrity Framework.

It sets out our commitment to ensure that every person bound by the policy is treated with respect and dignity and protected from discrimination, harassment and abuse.

It also seeks to ensure that everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

The attachments/schedules to this policy describe the practical steps we will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, the policy allows Skate Victoria to take disciplinary action against any person or organisation bound by this policy if they breach the policy.

This policy has been endorsed by the SV Executive Committee and has been incorporated into our constituent document, rules, regulations or by-laws. The policy amends the previous Member Protection Policy, which commenced on 1<sup>st</sup> January 2016. This policy commences on 27 August 2018 and will operate until replaced.

The current policy and its attachments/schedules can be obtained from our website at: skatevictoria.com.au

This policy is supported by Member Protection Policies that have been adopted and implemented by our affiliated clubs/leagues.

# Who is bound by this Policy

- 1.1. Persons and administrators appointed or elected to boards of directors, executives and/or committees (including sub-committees), including office bearers such as presidents, vice-presidents, treasurers, secretaries and selectors of Skate Victoria.
- 1.2. Employees, contractors and volunteers of Skate Victoria.
- 1.3. Officials and in relation to athletes and/or teams which represent such clubs/leagues including management personnel such as coaches and managers etc.
- 1.4. Skate coaches (including assisting coaches) who:
  - 1.4.1. are appointed and/or employed by Skate Victoria;
  - 1.4.2. are accredited coaches;
  - 1.4.3. have an agreement (whether written or verbal) with Skate Victoria or a Member Club/League to coach skating;
  - 1.4.4. referees and other officials involved in sanctioned SV activities.
- 1.5. Skate Athletes who:
  - 1.5.1. Enter any tournament, activity or events (including camps, training sessions, etc) which are held or sanctioned by Skate Victoria or a Member Club or League;
  - 1.5.2. are registered with a Member Club/League as an athlete and/or member
- 1.6. Member Clubs
- 1.7. Member Leagues
- 1.8. Individual Members
- 1.9. Any other persons, club or league which is a member of or affiliated to Skate Victoria (including Life Members)
- 1.10. Any other person or club (for example a parent/guardian, spectator, sponsor) who or which agrees, in writing (whether on a ticket, entry form or otherwise) to be bound by this by-law.

# **Organisational Responsibilities**

Skate Victoria, affiliated clubs and leagues must:

- 1.11. Adopt, implement and comply with this policy
- 1.12. Ensure that this policy is enforceable
- 1.13. Publish, distribute and promote this policy and the consequences of any breaches of this policy
- 1.14. Promote and model appropriate standards of behaviour at all times
- 1.15. Deal with any complaints made under this policy in an appropriate manner
- 1.16. Deal with any breaches of this policy in an appropriate manner
- 1.17. Recognise and enforce any penalty imposed under this policy
- 1.18. Ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
- 1.19. Use appropriately trained people to receive and manage complaints and allegations of appropriate behaviour
- 1.20. Monitor and review this policy at least annually.

# **Individual Responsibilities**

Individuals bound by this policy must:

- 1.21. Make themselves aware of the contents of this policy
- 1.22. 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
- 1.23. Consent to the screening requirements set out in this policy, and any state/territory Working with Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law
- 1.24. Place the safety and welfare of children above other considerations
- 1.25. Be accountable for their behaviour
- 1.26. Comply with any decisions and/or disciplinary measures imposed under this policy

# **Policies**

- 1.27. Code of Conduct (set out in Schedule 1 to this policy)
- 1.28. National Child Protection Policy (set out in Schedule 2 to this policy)
- 1.29. National Social Media and engagement Policy (including Taking Images of Children (set out in Schedule 3 to this policy)
- 1.30. Anti-discrimination and Harassment Policy (set out in Schedule 4 to this policy)
- 1.31. Pregnancy Guidelines (set out in Schedule 5 to this policy)
- 1.32. Anti-Bullying Policy (set out in Schedule 6 to this policy)
- 1.33. Complaints and Investigation Policy (set out in Schedule 7 to this policy)
- 1.34. Privacy Policy (set out in schedule 8 to this policy)
- 1.35. Alcohol Management Policy (set out in schedule 9 to this policy)

# 2. Definition 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.

**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 a club which is a financial member of the 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.

Club means an Affiliated club or Member Club or League

**Complaint** means a complaint made under Schedule 7 of this policy

**Complainant** means the person making a complaint.

Complaint handler means the person appointed to investigate a complaint.

**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
- 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 are available on the Play by the Rules website: <a href="www.playbytherules.net.au/legal-stuff/discrimination">www.playbytherules.net.au/legal-stuff/discrimination</a>

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 either an Individual Member or Club Member unless specified to the contrary.

**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.

**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 an indictable 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.

**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 unfavourably, or threatening to do so, because that person has, or intends to, pursue their right to make any complaint, which may include, but is not limited to, making a complaint under government legislation (e.g. anti-discrimination legislation) or under this policy or any other 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.



# Schedule 1 Codes of Conduct



# **Code of Conduct General Principles**

Participants of Roller Derby, Roller Hockey, Speed, Inline Hockey and Street Hockey include:

The Code applies to the following persons; Club & Unattached member, Participant, Official, Coach, Administrator, Volunteer, Spectator, Parent/guardian, Member of the community and Media

You must meet the following requirements in regard to your conduct during any activity held or sanctioned by *Skate Victoria* and in any role you hold within *Skate Victoria*:

# **Principles**

The Fair Play Code outlines a set of guiding principles on expected standards of behaviour for every person involved in Skate Victoria sanctioned activities. This includes every player, participant, coach, support person, official, administrator, club member, spectator, parent, volunteer or member of the public involved with Skate Victoria sanctioned activities. All should demonstrate the principles of integrity, respect, responsibility, fairness and safety in relation to Skate Victoria sanctioned activities by:

# Integrity

- being honest, fair, respectful, trustworthy, reliable, open and transparent in dealings with others
- avoiding any real or perceived conflicts of interest
- striving to earn and sustain a high level of community trust and goodwill
- not engaging in or advocating the possession and use of banned performance enhancing substances or methods, or illicit drugs
- not participating in, or encouraging action that may jeopardise the integrity of sport and recreation including match-fixing, illegal sports betting and other corruption.

### Respect

- treating everyone involved in sport and recreation in a considerate, objective and courteous manner with proper regard for their rights, dignity and worth
- refraining from any form of discrimination, harassment, bullying, abuse, child abuse, intimidation, victimisation or vilification of others, including on the basis of age, race, sex, disability, sexuality, gender identity or religion
- recognising and valuing the contribution of all to sport and recreation, including volunteer coaches, officials and administrators who give up their valuable time to make sport and recreation happen.

# Responsibility

- considering and accepting the consequences of one's actions and decisions
- being a positive role model by displaying self-control, respect, care and diligence towards all involved with sport and recreation
- complying with specified child safe standards of conduct expected of adults when dealing and interacting with persons under 18 years of age
- understanding the possible consequences of breaching the Fair Play Code and immediately reporting any potential breaches to appropriate authorities.

## **Fairness**

- understanding and playing by the rules and spirit of sport and recreation
- being informed, consistent, impartial, just and reasonable in dealings with others
- being a 'good sport' by encouraging and praising fair play over winning at all costs
- providing a 'fair go' to people of all abilities to be involved in sport and recreation and reach their full potential.

# Safety

- providing a safe, welcoming and inclusive environment that places the health, welfare and well-being of participants above all else
- taking all reasonable steps to ensure equipment, facilities and programs meet health and safety standards and are appropriate to the age and ability of participants
- being aware of and supporting policies and practices in relation to injury management, return to play, adverse weather and child safe standards
- showing concern and caution towards others who may be sick or injured and immediately reporting any safety issues to appropriate authorities.

# Resources are available here:

www.sport.vic.gov.au/publications-and-resources/community-sport-resources/fair-play-code

Video is available here: <a href="https://vimeo.com/298297122">https://vimeo.com/298297122</a>

# Code of Conduct - Skater/Player

- Be a good sport. Respect all good competition whether from your team/club skaters/players or the opposition and shake hands with, and thank, the opposition skaters/players and officials after the game win, lose or draw.
- Participate for your own enjoyment and benefit.
- Always respect the referee's decision.
- Never become involved in acts of foul play.
- Honour both the spirit and letter of the competition rules and live up to the highest ideals of ethics and sportsmanship; avoid gamesmanship, and respect the traditions of the game/competition.
- Never engage in disrespectful conduct of any sort including profanity, sledging, obscene gestures, offensive remarks, trash- talking, taunting or other actions that are demeaning to other skaters/skaters/players, officials or supporters.
- Care for and respect the facilities and equipment made available to you during training and competition.
- Safeguard your health; don't use any illegal or unhealthy substances.
- Recognize that many officials, coaches and referees are volunteers who give up their time to provide their services. Treat them with the utmost respect.

# Code of Conduct - Coach

- Actively discourage foul play and/or unsportsmanlike behaviour by skaters/skaters/players.
- Seek to maximise the participation and enjoyment of all skaters/skaters/players regardless of ability; avoid the tendency to over-use a talented skaters/skaters/player; treat all skaters/players/skaters/skaters/players as equals, regardless of their talent.
- Show concern and caution towards all sick and injured skaters/skaters/players. Follow the advice of a medical practitioner and/or allied health professional to the letter when determining when an injured player is ready to recommence training or playing.
- Teach skaters/skaters/players that an honest effort and competing to the best of their ability is as important as victory.
- Maintain appropriate, professional relationships with skaters/skaters/players at all times.
- Maintain a thorough knowledge of the Rules of your Sport and keep abreast of current coaching methods;
   maintain or improve your current accreditation level.
- Always consider the health, safety and welfare of the skaters/skaters/players.
- Teach young skaters/skaters/players to realise that there is a big gap between their play/racing and the professional game/races; do not coach them as if they are professionals.
- Ensure that your coaching reflects the level of the competition being played; do not be a "winner-at-all-cost" coach.
- As coach, conduct yourself at all times in a manner, and in all situations, that shows leadership, respect for your
  discipline of skating and respect for all those that are involved in the sport the skaters/skaters/players, officials,
  the spectators, the parents, the referees and the media.

# Referee/Official – Code of Conduct

- Be impartial! Also, be consistent, objective and courteous.
- Place the safety and welfare of the skaters/skaters/players above all else; be alert to minimise dangerous physical play, fair or foul, especially in junior competitions.
- Accept responsibility for all actions taken.
- Avoid any form of verbal contact with coaches, team officials, parents and spectators during play.
- Avoid any situation which may lead to a conflict of interest, both on and off the track/rink.
- Maintain an appropriate level of fitness for the standard of game/race at which you are officiating.

- Condemn all and every instance of unsportsmanlike, foul or unfair play.
- Set a good example by the way you dress, speak and act towards skaters/players, coaches, officials, parents and spectators.
- Show concern and caution towards sick and injured skaters/players.
- Officiate to the age and/or experience of the skaters/players.

# Spectator/Parent - Code of Conduct

- Condemn all violent or illegal acts, whether they are by skaters/players, coaches, officials, parents or spectators.
- Respect the referee's decisions don't complain or argue about decisions during or after a game.
- Behave! Unsportsmanlike language, harassment or aggressive behaviour will not be tolerated.
- Encourage skaters/players to play by the rules and to respect opposition skaters/players and officials.
- Never ridicule or scorn a player/skater for making a mistake respect their efforts.
- Understand that sport is part of a total life experience, and the benefits of involvement go far beyond the final score of a game/race.
- Participate in positive cheering that encourages the skaters/players in the team or in the individual race you are supporting; do not engage in any cheering that taunts or intimidates opponents, their fans or officials.
- Remember that children participate in their sport for their own enjoyment, not yours.
- At all times, follow the directions of the Event organizer and designated officials.
- Never arrive at a Junior competition under the influence of alcohol, never bring alcohol to a competition and only drink alcohol if it is available, in a responsible manner in the designated licensed area.

# **Code of Conduct – Summary of Offences**

Clubs/Leagues are responsible for the conduct of their skaters/players, parents/carers of skaters/players, coaches, officials, referees and spectators.

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

- a) Use offensive or obscene language to any participant.
- b) Enter the area of competition during the course of a game/race without the prior approval of the Event Organiser.
- c) Excessively dispute the decision of a referee either during or after a game/race.
- d) Assault or act with aggression to any person/s.
- e) Behave in a way contrary to the Code of Conduct and/or the spirit of the game.
- f) Behave in a way which disturbs the enjoyment of a game, race, function or event by any other person/s, or brings discredit to the home club/league or SV.
- g) Act in such a way as to exhibit racial intolerance, by language or other conduct, to any person/s.
- h) Refuse to accept the reasonable direction of the Event Organiser, official of the team/club which that person is supporting, or official of the home club/league.

Breaches of the Skate Victoria Code of Conduct may result in penalties, including but not limited to:

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

These penalties are in addition to any penalty which may be imposed by the Club's judiciary.

# Victorian Child Safe Code of Conduct

This Victorian Child Safe Code of Conduct outlines appropriate standards of behaviour by adults towards children.

The Victorian Child Safe Code of Conduct aims to protect children and reduce any opportunities for abuse or harm to occur. It also helps members and volunteers by providing them with guidance on how to best support children and how to avoid or better manage difficult situations. This Victorian Child Safe Code of Conduct applies to all people involved in Skate Victorian sanctioned activities, including participants, coaches, officials, volunteers, parents and spectators in Victoria.

All Skate Victoria members and volunteers located in Victoria are responsible for promoting the safety and wellbeing of children and young people by:

- Adhering to the SV Child Safe Policy, this Victorian Child Safe Code of Conduct and other Skate Victoria policies and bylaws.
- Taking all reasonable steps to protect children from abuse, including racism.
- Treating everyone with respect, including listening to and valuing their ideas and opinions.
- Welcoming all children and their families and carers and being inclusive, including Aboriginal and all cultural diverse children and young people.
- Respecting cultural, religious and political differences and acting in a culturally sensitive way, particularly when
  interacting with children who are Aboriginal or otherwise culturally or linguistically diverse and those with a
  disability.
- Enable, encourage and support a child's ability to express and enjoy their culture, including acknowledging and appreciating the strengths of Aboriginal culture and understand its importance to the wellbeing and safety of Aboriginal children and young people.
- Modelling appropriate adult behaviour.
- Listening to children and responding to them appropriately.
- Reporting and acting on any breaches of this Victorian Child Safe Code of Conduct, complaints or concerns
  appropriately and treat them seriously and with respect.
- Complying with our guidelines on physical contact with children.
- Working with children in an open and transparent way other adults should always know about the work you are doing with children.
- Respecting the privacy of children and their families, and only disclosing information to people who have a need to know.

Skate Victoria members and volunteers MUST NOT:

- Seek to use children in any way to meet the needs of adults.
- Ignore or disregard any concerns, suspicions or disclosures of child abuse.
- Use prejudice, oppressive behaviour or language with children.
- Discriminate on the basis of age, gender, race, culture, vulnerability or sexuality.
- Initiate unnecessary physical contact with children or do things of a personal nature that children can do for themselves, such as toileting or changing clothes.
- Develop 'special' relationships with specific children or show favouritism through the provision of gifts or inappropriate attention.
- Exchange personal contact details such as phone number, social networking site or email addresses with children.
- Have unauthorised contact with children and young people online or by phone.

By observing these standards, you acknowledge your responsibility to immediately report any breach of this code to Skate Victoria at office@skatevictoria.com.au

This Victorian Child Safe Code of Conduct will be reviewed by Skate Victoria annually.



# Schedule 2 National Child Protection Policy



# 1. Application

The SV Child Protection Policy will apply to any Club, League or Member that is affiliated with Skate Victoria.

This policy also applies to players, coaches, officials, spectators, volunteers, administrators and all people reasonably connected to Skate Victoria.

# 2. Policy Statement

Skate Victoria 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 employees/contractors, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

# 3. What is Child Abuse?

Child protection laws apply in each state and territory and cover the reporting and investigation of child abuse.

Skate Victoria and Members must comply with all applicable child protection laws.

Child abuse involves conduct which puts children, including unborn children, at risk of harm or neglect. Child abuse can be inflicted by adults or other children and can include:

# 3.1 Physical abuse

By hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity).

## 3.2 Sexual abuse

By adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).

# 3.3 Emotional abuse

By ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).

## 3.4 Neglect

Including medical neglect (e.g. failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

In addition, Skate Victoria and its Members should ensure that a child is not left unattended without making appropriate arrangements for the child's supervision and care.

# 4. Child Protection

Skate Victoria 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.

# 4.1 We acknowledge

The valuable contribution made by our employees/contractors, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

# 4.2 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.

# 4.3 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.

# 4.4 Choose suitable employees/contractors/contractors 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/contractors/contractors 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.

# 4.5 Support, train, supervise and enhance performance

We will ensure that all our employees/contractors/contractors 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.

# 4.6 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.

# 4.7 Report and respond appropriately to suspected abuse and neglect

We will ensure that all our employees/contractors/contractors 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.

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.

# 5. Taking Images of Children

There is a risk that Images of children may be used inappropriately or illegally. Skate Victoria requires that individuals and clubs/leagues wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own. They should also make sure the parent/guardian understands how the image will be used.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are used in connection with our sport.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent/guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child.

We will only use images of children that are relevant to our sport and we will ensure that they are suitably clothed in a manner that promotes participation in the sport. We will seek permission from the parents/guardians of the children before using the images. We require our member associations and clubs to dolikewise.

# 6. Communication and Review

Skate Victoria should:

- 6.1 Distribute and discuss
  - This Policy with all Members including during induction sessions for new employees/contractors (paid or unpaid) and volunteer members;
- 6.2 Ensure

That a copy of this policy is accessible to all members; and

6.3 Monitor and review

This policy annually.

# **Employment Screening**

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 currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory, the Australian Capital Territory, and South Australia. Working with Children Check laws are currently being introduced in Tasmania.

Skate Victoria including our 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.

# Working with Children Check Requirements

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- criminal history checks;
- signed declarations;
- referee checks; and
- other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children Check requirements vary across Australia. <u>Resources</u> are available on the Play by the Rules website: <u>www.playbytherules.net.au</u>

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

# **Australian Capital Territory**

**Australian National Character Check** 

https://www.australiannationalcharactercheck.com.au/Police-Check-Application.html

# **New South Wales**

Office of the Children's Guardian

https://wwccheck.ocg.nsw.gov.au/VerifyIndividual/check

Phone: 02 8219 3777

# **Northern Territory**

NT Police, Fire & Emergency Services

https://forms.pfes.nt.gov.au/safent/CheckValidity.aspx?IsValidityCheck=true

Phone: 1800 723 368

# Queensland

Queensland Government website Website: https://www.qld.gov.au/

Phone: 13 74 68

# South Australia

Government of South Australia

https://screening.sa.gov.au/applications/check-status

Phone: 1300 321 592

# Tasmania

Consumer, Building and Occupational Services

https://wwcforms.justice.tas.gov.au/StatusCheck/StatusCheck.aspx

Phone: 1300 654 499

# Victoria

Status Checker

Website: www.workingwithchildren.vic.gov.au

Phone: 1300 652 879

# Western Australia

**WWC Card Validation** 

https://workingwithchildren.wa.gov.au/card-validation

Phone: 1800 883 979

# **Travelling to other States or Territories**

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

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

The laws providing interstate exemptions are not consistent across Australia.

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

# Procedure for Handling Allegations of Child Abuse

# If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au

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

All people working with Skate Victoria in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

# Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child	Do not challenge or undermine the child
has told you	
Reassure the child that what has occurred is not	Do not seek detailed information, ask leading
his or her fault	questions or offer an opinion.
Explain that other people may need to be told in	Do not discuss the details with any person other
order to stop what is happening.	than those detailed in these procedures.
Promptly and accurately record the discussion in	Do not contact the alleged offender.
writing.	

# **Step 2: Report the Allegation**

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the CEO of Skate Victoria so that he or she can manage the situation.

# **Step 3: Protect the Child and Manage the Situation**

- The CEO will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is an employee of Skate Victoria
- The CEO will consider what services may be most appropriate to support the child and his or her parent/s.
- The CEO will consider what support services may be appropriate for the alleged offender.
- The CEO will seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

# **Step 4: Take Internal Action**

- At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
  - a criminal investigation (conducted by the police)
  - a child protection investigation (conducted by the relevant child protection agency)
  - a disciplinary or misconduct inquiry/investigation (conducted by Skate Victoria
- Skate Victoria will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in Disciplinary of our Member Protection Policy.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take.
- Contact details for advice or to report an allegation of child abuse

Australian Capital Territory	
ACT Police	Office for Children, Youth and Family Services
Non-urgent police assistance	https://www.communityservices.act.gov.au/ocyfs
Ph: 131 444 <u>www.afp.gov.au</u>	Ph: 133 427
New South Wales	
New South Wales Police	Department of Family and Community Services
Non-urgent police assistance	www.community.nsw.gov.au
Ph: 131 444 <u>www.police.nsw.gov.au</u>	Ph: 132 111
Northern Territory	
Northern Territory Police	Department of Territory Families, Housing and Communities
Non-urgent police assistance	https://tfhc.nt.gov.au/children-and-families
Ph: 131 444 www.pfes.nt.gov.au	Ph: 1800 700 250
Queensland	
Queensland Police	Department of Communities, Child Safety and Disability Services
Non-urgent police assistance	www.communities.qld.gov.au/childsafety
Ph: 131 444 www.police.qld.gov.au	Ph: 1800 080 464
South Australia	
South Australia Police	Department for Child Protection
Non-urgent police assistance	https://www.childprotection.sa.gov.au/
Ph: 131 444 www.sapolice.sa.gov.au	Ph: 08 8124 4185
Tasmania	
Tasmania Police	Department of Health and Human Services
Non-urgent police assistance	https://www.health.tas.gov.au/health-topics/child-and-youth-health
Ph: 131 444 www.police.tas.gov.au	Ph: 1300 737 639
Victoria	
Victoria Police	Department of Human Services
Non-urgent police assistance	https://providers.dffh.vic.gov.au/
Ph: 131 444 www.police.vic.gov.au	Ph: 1300 475 170
Western Australia	
Western Australia Police	Department for Child Protection and Family Support
Non-urgent police assistance	www.dcp.wa.gov.au
Ph: 131 444 <u>www.police.wa.gov.au</u>	Ph: (08) 9222 2555



# Schedule 3 National Social Media Policy



# 1. Application

The Skate Victoria Social Media Engagement Policy applies and must be adopted by Skate Victoria's Clubs or any other entity to which this policy applies.

Club and/or League Members: players; coaches; officials; spectators; and administrators and all people reasonably connected to Skate Victoria must comply with the Policy.

# 2. Introduction

Skate Victoria acknowledges that Social Media has increasing prevalence in both the professional and private lives of its Members. Skate Victoria recognises the value in using Social Media to build more meaningful relationships with the general public, communities and other relevant stakeholders.

Social Media offers the opportunity for people to gather in online communities of shared interest and create, share or consume content in ways that can be beneficial for Skating.

# 3. Purpose & Scope

This SV Social Media Engagement Policy (Social Media Policy) sets out Skate Victoria's expectations of its Members when engaging with Social Media. Recognising that commonly-held perceptions of "social media" are likely to change from time to time, "Social Media" for the purpose of this Social Media Policy is specifically not limited to certain digital platforms.

However, Skate Victoria considers each of the following platforms/internet programs/digital interfaces as Social Media for the purpose of this Policy:

- External and internal social networking sites (e.g. Facebook, Twitter, Bebo, Linked In, MySite, Reddit and Yammer);
- Video and photo sharing websites (e.g. Flickr, YouTube, Instagram, Pinterest);
- Micro-blogging sites (e.g. Twitter);
- Weblogs, including corporate blogs, personal blogs or blogs hosted by traditional media publications (e.g. 'comments' or 'your say' feature on theage.com.au);
- Forums and discussion boards (e.g. Whirlpool, Yahoo! Groups or Google Groups);
- Online encyclopaedias (e.g. Wikipedia);
- Instant messaging (including SMS);
- Vod and Podcasting; and
- Any other website that allows individual users or companies to use simple publishing tools. (Social Media)

# 4. Non-Official Social Media Engagement Risks

Skate Victoria recognises that Members will from time to time engage with Social Media in a non-official, personal capacity. This Policy does not intend to discourage nor unduly limit personal expression or online activities.

However, Members should recognise the risk and damage that may be caused (either directly or indirectly) to Skate Victoria and it's members affiliated Club and/or League in certain circumstances.

Some of the risks Members take by engaging in non-official Social Media include, but are not limited to:

- Unintentional Social Media content publication to a private audience;
- Unintentional Social Media content publication by a 3rd party to a private audience;
- Unintentional Social Media content publication to a public audience;
- Unintentional Social Media content publication by a 3rd party to a public audience; and
- Social Media "hacking";

It is the expectation of Skate Victoria that all Members who engage in non-official Social Media are aware of the risks associated with Social Media.

# 5. Non-Official Social Media Engagement Consequences

It is the expectation of Skate Victoria that Members understand that the risks of engaging in non-official Social Media listed above, as well as others, may result in the publication of content which, without limitation:

- Breaches employment obligations;
- Breaches the National Vilification & Discrimination Policy;
- Damages the brand and reputation of the Skating Body, as the case may be;
- Misrepresents a personal view as that of Skate Victoria and/or affiliated club or league; and
- Is criminal in nature or might otherwise give rise to the breach of a civil law.

Members are advised that engaging in Social Media may result in disciplinary action.

# 6. Official Social Media Engagement by Skate Victoria

To ensure a consistent and controlled approach, only a select number of representatives of Skate Victoria are authorised to speak to the media in an official capacity.

This also applies to representing Skate Victoria and/or its affiliated Clubs or Leagues on Social Media. Before engaging in Social Media as a representative of Skate Victoria you must be formally authorised to comment.

You may not comment as a representative of the Skate Victoria unless you are authorised to do so by the SV Chief Executive Officer.

Once authorised to comment as a representative of Skate Victoria, you must:

- Disclose and comment only on information classified as public domain information;
- Ensure that all content published is accurate and not misleading and complies with all relevant policies and agreed positions;
- Comment only on your area of expertise and authority (unless otherwise approved by Skate Victoria);
- Ensure comments are respectful of the community in which you are interacting online;
- Respect copyright laws and fair use of copyrighted material and attribute work to the original author/source wherever possible;
- Adhere to the Terms of Use of the relevant Social Media platform/website, as well as copyright, privacy, defamation, contempt of court, discrimination, harassment and other applicable laws; and

# 7. Conditions of Official Skate Victoria Social Media Engagement

If you are authorised to comment as a representative of the Skating Body you must not publish, or otherwise permit the publication by a 3rd party of, content which, without limitation:

- Breaches employment obligations;
- Breaches the National Member Protection Policy as well as any policy incorporated to it by reference including, but not limited to, breaches of the National Vilification & Discrimination Policy;
- Damages, or is likely to damage, the brand and reputation of Skate Victoria;
- Misrepresents a personal view as that of Skate Victoria as the case may be; and
- Is criminal in nature or might otherwise give rise to the breach of a civil law.

# 8. Inappropriate Social Media Engagement

For illustrative purposes, Skate Victoria is likely to consider the following engagement in Social Media as inappropriate:

- Using discriminatory, defamatory, abusive or otherwise objectionable language in content;
- Accessing, downloading or transmitting any kind of sexually explicit material, violent and/or graphic images (without medical purpose);
- Accessing, downloading or transmitting information on the use and construction of weapons, explosives and/or other tools of violence or terrorism;
- Accessing, downloading or transmitting any material deemed to be illegal under Australian Commonwealth or state law;
- Accessing, downloading or transmitting hate speeches and/or racist material;
- Breaching the reasonable expectation of privacy of a person;
- Attempting to gain unauthorised access to the computing resources of Skate Victoria and/or its affiliated Clubs and Leagues.

# 9. Complaints, Investigation & Discipline

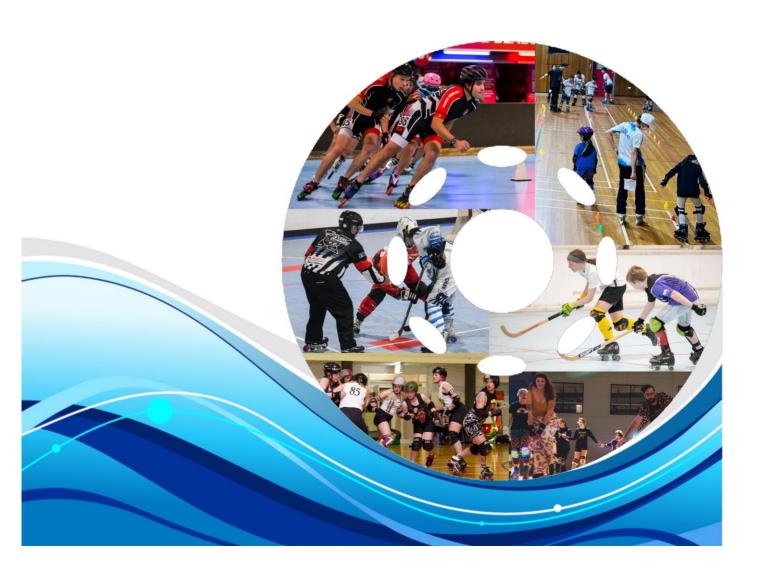
If a Member holds a good faith belief that content has been published on Social Media in contravention of this Policy, or which is otherwise inappropriate or unlawful and relates to Skate Victoria which includes affiliated Clubs, the Member may make a complaint about the content in accordance with Complaints and Investigation Policy.

The CEO of Skate Victoria may order an investigation into the content in accordance with Complaint & Investigation Policy. If a Member is reasonably believed to have breached this policy, the matter may be referred to a Disciplinary Tribunal in accordance with the Skate Victoria Disciplinary Tribunal Guidelines.

If the SV CEO (or nominee) deems the Social Media activity of any Member to be inappropriate, he or she may take whatever action he considers to be reasonably necessary in the circumstances.



# Schedule 4 Anti-discrimination Policy



# **Anti-Discrimination and Harassment**

Skate Victoria 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.

The Skate Victoria Anti Discrimination and Harassment Policy applies and must be adopted by Skate Victoria's Clubs or any other entity to which this policy applies.

### 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 "Definitions" set out in the in Dictionary of terms in SV MPP

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.

#### 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. 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.

# 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 Dictionary of terms in SV MPP.

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 Complaints and Investigation Policy Schedule 7)

# 4. Intimate Relationships

Skate Victoria 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, favouritism or exploitation.

We take 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 they are encouraged to seek advice from the Member Protection Information Officer or other official 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 from Member Protection Officer. Our complaints procedure is outlined in Complaints and Investigation Policy Schedule 7 to this policy.

# 5. 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.

# 6. 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 MPP Dictionary of terms).

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

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 Complaints and Investigation Policy Schedule 7

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. Participation in Sport

Skate Victoria recognises that excluding people from participating in sporting events and activities because of their gender identity may be discriminatory and 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 applicable legislative exception applies.

# 8. 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 in MPP).

Skate Victoria 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.



# Schedule 5 Pregnancy Policy



# Sports Medicine Australia Guidelines. Participation of the pregnant athlete in contact and collision sports Dr Marg Torode

Chair of the SMA Medicine and Science for Women in Sport Committee, Head of the School of Exercise and Sport Science Sydney University.

# Introduction

The safe participation of Australians in sport and healthy physical activity at all stages of life is the primary concern for all involved with Sports Medicine Australia.

Maternal and foetal responses to exercise may vary with pregestational maternal fitness level, coexisting medical conditions or pregnancy complications.

For these reasons exercise counselling to the pregnant sportswoman must be done on an individual basis.

These guidelines & the Exercise in Pregnancy Fact Sheet are intended to provide recommendations on safe participation in contact and collision sports during pregnancy.

# **Guidelines for Safe Participation in Contact and Collision Sports**

Modifications based on American College of Obstetricians and Gynaecologists Guidelines document (1994)

# 1. Over Heating

**1st Trimester** (early)- foetus is susceptible to sustained increase of mother's body core temperature Slight risk – could theoretically cause birth defects.

(Especially in prolonged exercise in the heat e.g. distance running)

# **Recommendations**

- No exercise in hottest or most humid times of day Clothing- light, open weave
- Regular fluid consumption
- Indoors: room cool & ventilated Team sports- interchange frequently

# 2. Level of Exertion

- Fitness level throughout pregnancy no affect on birth outcome
- Do not increase the level of exercise once pregnant.
- Submaximal maternal exercise (70%VO2)
- High intensity exercise should not >15 minutes (continuous exercise)
- Regular exercise is preferable to occasional ex.

Note: well trained athletes can sustain >HR changes & longer duration than less fit individuals

# **Recommendations**

- Avoid maximal intensity exercise.
- Competitive athletes- Exercise at moderate intensities of <75% HRmax</li>
- A thorough cool down period of gentle exercise.

# 3. Risk of Injury

- Redistribution of body weight (COG forward)- can alter sense of balance/co-ordination can increase risk of falls in second half of pregnancy
- By 2nd Trimester the foetus moves higher and is unprotected by the pelvis there is increased risk of damage to foetus itself by direct impact
- Higher risk of ligament injury due to increased laxity of the joints (hormonal changes)

# These are all theoretical considerations only

### **Recommendations**

- be aware of these physical alterations and consequent limitations and be cautious while participating
- excessive stretching & jerky ballistic movements should be avoided

# 4. Health Status

Some medical conditions will preclude sporting participation in pregnancy. The Physician or Obstetrician will assess the dangers of exercise (ACSM Guidelines) with any of the following conditions:

- Heart, Respiratory, Renal or Infectious disease
- Obesity or underweight

# **Endocrine or Obstetric conditions**

If the athlete experiences any of the following symptoms during exercise she should stop and contact her physician immediately:

- higher than usual HR
- decreased foetal movements
- amniotic fluid leakage
- uterine contractions
- vaginal bleeding
- sudden swelling of ankles, hands or face

# 5. Stage of Pregnancy

- Trimester 1: foetus is contained in the pelvic girdle which protects foetus from blows to the abdomen.
- As pregnancy continues the foetus moves higher in the abdomen more susceptible to direct blows to the region.

Trimester 2 & 3: individual player will know from discomfort and lack of co- ordination when to stop participating

# **Risk Classifications and Recommendations**

In determining the relative risk of sports for the pregnant athlete the following classifications can be used:

# **Non Contact Sports**

- virtually no risk of falling, or contact with projectile/person (eg swimming, low impact aerobics, stationary cycling).
- majority are suitable during all stages of pregnancy providing:
  - (1) the athlete is under appropriate medical supervision; and

- (2) the degree of exertion is controlled.
- if maintaining fitness is the goal of sports participation- should consider changing to these sorts of lower risk activities.

# **Limited Contact Sports**

 Contact occurs minimally (either legally or illegally) or there is a small risk of falls or contact with a projectile (eg netball, touch football, racquet sports).

In normal pregnancy these sports are suitable during the first trimester. Ongoing consultation with the Physician or Obstetrician may make participation possible into the second trimester.

# **Unlimited Contact and Collision Sports**

- Contact or collision is frequent and may be quite forcible (eg soccer, baseball, football, martial arts, judo, gymnastics).
- high risk of: falls, blows to abdomen or contact with projectile.

In a "normal" pregnancy, participation only be recommended during the first trimester.

# **Specifically Excluded Sports**

- Carry a high risk from falls, physical trauma or other risks
- Should not be undertaken once she knows or suspects pregnancy eg. scuba diving, novice downhill skiing, ice skating, horse riding, martial arts, gymnastics

# **Summary**

# When Exercising whilst Pregnant, Women should:

- Consult closely with their doctors, advise their coach and modify training accordingly
- Be aware of the risks to mother and foetus
- Cease participation and immediately contact her doctor if a medical or obstetric complication should occur
- Not increase their level of training or commence new competitive sport
- Pay special attention to
- Core body temperature
- Fluid intake: before, during and after exercise
- Intensity of exercise
- Warm up and cool down (not supine)



# Schedule 6 Anti-bullying Policy



The Skate Victoria Anti-Bullying Policy applies and must be adopted by Skate Victoria's Clubs or any other entity to which this policy applies.

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

Bullying includes cyber-bulling 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 though unwanted and inappropriate comments.

Skate Victoria and its affiliated clubs and leagues will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint in accordance with the Complaints Policy set out in Schedule 7 of this document.



## Schedule 7 Complaints Policy



#### **Handling Complaints**

This Complaints Policy applies and must be adopted by Skate Victoria's Clubs or any other entity to which this policy applies. Clubs must ensure that this procedure accurately reflects the rules and procedures in their constituent documents, rules, regulations, or by-laws and those such documents enable them to follow the procedure contemplated in the relevant sections of this policy.

Any person (a complainant) may make 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.

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:

- breaching the codes of behaviour (see schedule 1 of this policy);
- bringing the sport and Skate Victoria into disrepute, or acting in a manner likely to bring the sport and Skate Victoria into disrepute
- failing to follow policies (including this policy) and procedures for the protection, safety and well-being of children;
- discriminating against, harassing or bullying (including cyber-bullying) any person;
- victimising another person for making or supporting a complaint;
- engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- disclosing to any unauthorised person or organisation any Skate Victoria information that is of a private, confidential or privileged nature;
- making a complaint that they know to be untrue, vexatious, malicious or improper;
- failing to comply with a penalty imposed after a finding that the individual or organisation has breached this
  policy; and
- failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

Skate Victoria and the relevant Clubs take all complaints about on and off-field behaviour seriously. Skate Victoria and/or the relevant Club will handle complaints based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously and dealt with promptly, sensitively and confidentially;
- it aims to resolve complaints in a fair, timely and effective fashion;
- the person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and
- any penalties imposed will be reasonable.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then it may need to be reported to the police and/or relevant government authority.

This policy and the procedure for handling and resolving complaints as outlined in this Schedule 7 and under the heading 'Complaints Handling Procedure', is required to be adopted by all Clubs.

#### **Complaints Handling Procedure**

#### Step 1: Talk with the Other Person (if safe, reasonable and appropriate)

If you feel confident and comfortable to do so, you can approach the other person to discuss the issues and try and resolve the problem with them directly.

#### Step 2: Contact your Club

If step 1 is not appropriate and you do not feel comfortable approaching the said person, you should discuss your complaint with the president or relevant person at your Club. They will:

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

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

- supporting the person complaining to talk to the person being complained about;
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gathering more information (e.g. from other people that may have seen the behaviour);
- seeking advice from Skate Victoria or from an external agency (e.g. State Department of Sport or antidiscrimination agency);
- referring the complainant to an external agency such as a community mediation centre, police or antidiscrimination agency; and/or
- assisting the complainant to lodge a formal complaint in accordance with step 3.

#### **Step 3: Formal Complaint**

If it is not possible or appropriate to resolve your complaint through an informal process, you may make a formal written complaint to the Club, specifying:

- the nature of your complaint;
- the respondent(s);
- the allegations made against the respondent(s)
- particulisation of your allegations against the respondent(s); and
- the relevant policy and section that the respondent(s) allegedly breached.

You may use the precedent document set out in this policy and titled 'Formal Complaint' to complete details of your complaint. If your formal complaint fails to address any of the above items in requisite detail, the Club may refer the complaint back to you for further information and clarification before attending to step 4.

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

Contact details for the state and territory anti-discrimination and equal opportunity commissions are available on the Play by the Rules website: <a href="http://www.playbytherules.net.au/resources/quick-reference-guide">http://www.playbytherules.net.au/resources/quick-reference-guide</a>. Serious incidents, such as assault or sexual assault, should be reported to the police.

After receiving a formal complaint, and based on the material you provide, the Club will decide whether:

- it is the most appropriate entity to receive and handle the complaint;
- the nature and seriousness of the complaint requires a formal resolution procedure;
- to refer the matter to the police or other appropriate authority; and/or
- to implement any interim arrangements that will apply until the complaint process is completed.

In dealing with your formal complaint, the Club will take into account:

- whether they have any personal involvement in the circumstances and if so, whether it is appropriate someone else should handle the complaint;
- your wishes, and the wishes of the respondent(s), regarding how the complaint should be handled;
- the relationship between you and the respondent(s) (e.g. an actual or perceived power imbalance between you and the respondent);
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the possibility that you might face further unacceptable behaviour while the complaint process is underway; and
- whether an internal or external investigation is required.

#### Step 4: Investigating the complaint

Once a formal complaint is received by the Club, it will investigate your complaint confidentially. The investigation process will be undertaken by an unbiased person. Depending on the nature of the allegations, the Club may resolve to appoint an external investigator of its choice.

Any investigation will be conducted in accordance with principles of procedural fairness to all people involved.

In investigating a complaint, the investigator will:

- interview the complainant and record the interview in writing;
- provide full details of the complaint to the respondent(s) so that they can respond;
- interview the respondent(s) to allow them to answer the complaint and record the interview in writing;
- obtain statements from relevant witnesses and collect other relevant evidence;
- make a finding as to whether the complaint is:
  - **substantiated** (there is sufficient evidence to support the complaint)
  - inconclusive (there is insufficient evidence either way);
  - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded);
  - mischievous, vexatious or knowingly untrue.
- provide a report to Club's President documenting the complaint, the investigation process, the evidence, and its findings and recommendations.
- 2. The Club will provide a summary of the key elements of the report to the complainant, which will document a summary of the complaint, the investigation process and key points from the investigation.
- 3. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person.

If any allegations in the complaint are made against Skate Victoria, then the Club will refer only those allegations to Skate Victoria for investigation. Skate Victoria will be required to undertake the same process as outlined in this Step 4.

#### **Step 5: Disciplinary Sanctions**

The Club (or Skate Victoria, where appropriate), following receipt of the investigation report from the investigator, may take disciplinary action against anyone found to have breached policy or made false and malicious allegations. Any disciplinary measure imposed under the policy must:

- be fair and reasonable:
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined by our constituent documents, by laws and the rules of the game.

Possible sanctions that may be taken include:

- a direction that the individual make verbal and/or written apology;
- counselling of the individual to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club;
- suspension or termination of membership, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently;
- a fine; or
- any other form of discipline that the Club (or Skate Victoria, where appropriate) considers fair, reasonable and appropriate.

#### **Step 6: Appealing a Decision**

The complainant or respondent may be entitled to lodge an appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by our club) to Skate Victoria.

Appeals must be based on any of the following rights of appeal only:

- denial of procedural fairness in the investigation process;
- unjust or unreasonable disciplinary measure(s) being imposed; or
- the decision not being supported by the information/evidence presented and available to the decision maker at the time of making the relevant findings.

A person wanting to appeal must lodge a letter setting out the basis for their appeal with the CEO of Skate Victoria within 14 days of the decision being made. If the letter of appeal is not sent to the CEO within this time, the right of appeal will lapse.

Skate Victoria will review, and investigate (if appropriate and necessary) the allegations contained in the Appeal and decide whether there are sufficient grounds for the appeal to proceed.

If the appellant has not shown sufficient grounds for an appeal, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision within a reasonable period of time. If the appellant is not satisfied with its decision, it may approach any relevant external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

If the appeal is accepted, Skate Victoria may:

- refer the matter back to the Club for re-investigation; or
- if appropriate, convene an Appeal Tribunal whose decision will be final and binding.

#### **Appeal Tribunal**

If Skate Victoria considers it is appropriate to convene an Appeal Tribunal, it will follow the steps set out below to hear accepted appeals, with respect to decisions made out of or as a consequence of a formal complaint.

#### **Preparing for a Tribunal Hearing**

1. A Tribunal panel will be established, according to the rules set out in our constituent documents, rules and bylaws, to hear a complaint that has been referred to it by CEO

- 2. The number of Tribunal panel members required to be present throughout the hearing will be three.
- 3. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received by the Club and sent to the CEO relating to the complaint/allegations.
- 4. The Tribunal hearing will be held as soon as practicable. However, adequate time must be provided for the respondent(s) to prepare for the hearing.
- 5. The CEO will inform the parties in writing that a Tribunal hearing will take place. The notice will outline:
  - that the person has a right to appear at the Tribunal hearing to defend the complaint/allegations;
  - the details of the complaint and of all allegations, as well as the provision or clause of any policy, rule or regulation that has allegedly been breached;
  - the date, time and venue of the Tribunal hearing;
  - that verbal and/or written submissions can be presented at the Tribunal hearing;
  - that witnesses may attend the Tribunal hearing to support the position of the respondent/s;
  - an outline of any possible sanctions that may be imposed if the complaint is found to be true;
  - That legal representation will not be allowed. [The respondent may be assisted by a support person at a
    Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian
    present. However a person cannot be a support person if he or she has been admitted to the practise as a
    lawyer or worked as a trainee lawyer.]
- 6. If the complainant believes the details of the complaint are incorrect or insufficient, he or she should inform the CEO as soon as possible so that the respondent(s) and members of the Tribunal panel can be properly informed of the complaint.
- 7. If possible, the Tribunal panel should include at least one person with knowledge or experience of the relevant laws/rules (e.g. anti-discrimination).
- 8. The following people will be allowed to attend the Tribunal hearing:
  - Tribunal panel members;
  - the respondent(s);
  - the complainant;
  - any witnesses called by the respondent(s);
  - any witnesses called by the complainant; and
  - any parent/guardian or support person required to support the respondent or the complainant.
- 9. If the respondent(s) is not present at the set hearing time and the Tribunal chairperson considers that no valid reason has been presented for this absence, the Tribunal hearing will continue subject to the chairperson being satisfied that all Tribunal notification requirements have been met.
- 10. If the Tribunal chairperson considers that there is a valid reason for the non-attendance of the respondent(s), or the chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal hearing will be rescheduled to a later date.
- 11. If the Tribunal chairperson wishes to reschedule the Tribunal hearing date, the Tribunal chairperson will inform the CEO of the need to reschedule the hearing who will arrange for the Tribunal to be reconvened.
- 12. The Tribunal chairperson will read out the complaint, ask each respondent if he or she understands the complaint and if he or she agrees or disagrees with the complaint.
- 13. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal when determining any sanctions
- 14. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
  - Reference may be made to brief notes.
  - The complainant may call witnesses.

- The respondent may question the complainant and any witnesses.
- 15. The respondent will then be asked to respond to the complaint.
  - Reference may be made to brief notes.
  - The respondent may call witnesses.
  - The complainant may ask questions of the respondent and any witnesses.
- 16. The complainant and respondent(s) may be present when evidence is presented to the Tribunal hearing. Witnesses may be asked to wait outside the hearing until they are required.
- 17. The Tribunal may:
  - consider any evidence, and in any form, that it deems relevant;
  - ask questions of any person giving evidence;
  - require (to the extent it has power to do so) the attendance of any witness it deems relevant; and
  - act in an inquisitorial manner in order to establish the truth of the issue/complaint before it.
- 18. After all the evidence has been presented, the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has, on the balance of probabilities, been substantiated.
- 19. All Tribunal decisions will be by majority vote.
- 20. The Tribunal chairperson may announce the decision of the Tribunal at the conclusion of the hearing. Alternatively, he or she may reserve the decision of the Tribunal at the conclusion of the hearing and deliver the decision at a later time.
- 21. The respondent(s) will have the opportunity to make submissions to the Tribunal in relation to any sanctions that may be imposed.
- 22. Within 48 hours of the Tribunal delivering its decision, the Tribunal chairperson will:
  - forward a notice of the Tribunal's decision to the including details of any sanction imposed.
  - forward a letter reconfirming the Tribunal's decision to the respondent(s), including any sanction imposed. The letter should also outline the process and grounds for an appeal, if allowed.
- 23. The Tribunal does not need to provide written reasons for its decision.

#### **Record of Informal Complaint**

Name of person				Date: / /
receiving complaint				
Complainant's Name				l
•				
	☐ Over 18		☐ Under 18	
Role/status	☐ Administrator	(volunteer)	☐ Parent	
. Note, status	☐ Athlete/player		☐ Spectator	
	☐ Coach/Assista		☐ Support Pe	ersonnel
	☐ Employee (pa		_ 55,655.5.5	
	☐ Official	,	□ Other	
When/where did the				
incident take place?				
morache take place.				
What are the facts				
relating to the incident,				
as stated by				
complainant?				
What is the nature of the		☐ Harassment o	r 🗆 Discrimi	ination
complaint?	☐ Sexual/sexist	☐ Selection of	dispute	☐ Coaching methods
(category/basis/grounds)	☐ Sexuality	☐ Personality	y clash	☐ Verbal abuse
	☐ Race	☐ Bullying		☐ Physical abuse
Tick more than one box	☐ Religion	☐ Disability		☐ Victimisation
if necessary	☐ Pregnancy	☐ Child Abus	se	☐ Unfair decision
,	□Other			
What does the				
complainant want to				
happen to resolve the				
issue?				
What other information				
has the complainant				
provided?				
provided:				
What is the complainant				
going to do now?				

This record and any notes must be kept confidential and secure.

#### **Record of Formal Complaint**

Complainant's Name			Date Formal Complaint
	☐ Over 18	☐ Under 18	Received: / /
Complainant's contact	Phone:		
details	Email:		
Complainant's	☐ Administrator (vo		
role/position	☐ Athlete/player	☐ Spect	
	☐ Coach/Assistant C	oach 🗆 Suppo	ort Personnel
	☐ Official		
	☐ Other		
Name of person			
complained about			
(respondent)	☐ Over 18	☐ Unde	r 18
Respondent's	☐ Administrator (vo	lunteer) 🗆 Paren	t
role/position	☐ Athlete/player	☐ Spect	ator
	☐ Coach/Assistant C	oach 🗆 Suppo	ort Personnel
	☐ Employee (paid)	☐ Officia	al
	☐ Other		
Location/event of			
alleged incident			
Description of alleged			
incident			
Nature of complaint		Harasamant as Disasim	ination
Nature of complaint		Harassment or Discrim	
Nature of complaint (category/basis/grounds)	☐ Sexual/sexist	☐ Selection dispute	☐ Coaching methods
(category/basis/grounds)	☐ Sexual/sexist☐ Sexuality	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li></ul>	☐ Coaching methods☐ Verbal abuse
(category/basis/grounds)  Tick more than one box	☐ Sexual/sexist☐ Sexuality☐ Race☐	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li></ul>
(category/basis/grounds)	☐ Sexual/sexist☐ Sexuality☐ Race☐ Religion	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li></ul>
(category/basis/grounds)  Tick more than one box if necessary	☐ Sexual/sexist☐ Sexuality☐ Race☐ Religion	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal resolution	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal resolution	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal resolution	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal resolution	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal resolution	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal resolution	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal resolution	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>
(category/basis/grounds)  Tick more than one box if necessary  Methods (if any) of attempted informal resolution	☐ Sexual/sexist ☐ Sexuality ☐ Race ☐ Religion ☐ Pregnancy	<ul><li>☐ Selection dispute</li><li>☐ Personality clash</li><li>☐ Bullying</li><li>☐ Disability</li><li>☐ Child Abuse</li></ul>	<ul><li>☐ Coaching methods</li><li>☐ Verbal abuse</li><li>☐ Physical abuse</li><li>☐ Victimisation</li></ul>

If investigated:	Finding			
If decision was appealed	Decision			
	Action recommended			
Resolution	☐ Less than 3 months to resolve			
	☐ Between 3 – 8 months to resolve			
	☐ More than 8 months to resolve			
Completed by	Name:			
	Position:			
	Signature:	Date	/	/
Signed by:	Complainant:			
	Respondent:			

This record and any notes must be kept confidential and secure.

#### Formal Complaint - Precedent

Complainant's Name			Date:
	☐ Over 18	☐ Under 18	Received: / /
Complainant's contact	Phone:		
details	Email:		
Complainant's	☐ Administrator (voluntee		
role/position	☐ Athlete/player	☐ Spect	
	☐ Coach/Assistant Coach	☐ Suppo	ort Personnel
	☐ Official		
	☐ Other		
Name of			
person(s)			
complained about			
(respondent/s)	☐ Over 18	☐ Unde	r 18
Respondent(s)	☐ Administrator (voluntee	er) 🗆 Paren	t
role/position	☐ Athlete/player	☐ Spect	ator
	☐ Coach/Assistant Coach	☐ Suppo	ort Personnel
	☐ Employee (paid)	☐ Officia	al
	☐ Other		
Nature of complaint	☐ Bullying		
(category/basis/grounds)	☐ Harassment		
	☐ Discrimination		
Tick more than one box	☐ Abuse		
if necessary	□ Victimisation		
	☐ Breach of policy		
	Other		
Allogations			
Allegations			
(Please be as specific as			
possible)			
possible)			
Particulisation of			
Allegations (if			
required)			
	1		

Methods (if any) of attempted informal resolution	
Relevant Policy and Section allegedly breached	
breached	
Other relevant information /	
documents	
Signed:	



## Schedule 8 Privacy Policy



#### Introduction

This Privacy Policy covers Skate Victoria and Clubs. SV recognises that privacy is important and that an individual has the right to control his or her Personal Information. SV is committed to protecting the privacy of individuals and their Personal Information which SV collects during the course of administering and developing Roller Sports. This policy applies to:

- (a) Skate Victoria participants, including Skaters and Officials;
- (b) persons who register for any SV sanctioned accreditation or training program
- (c) persons who purchase or receive information about tickets to competitions;
- (d) persons who register to any Skate Victoria membership program, participation program, newsletter or promotional offer; or
- (e) persons who request services from SV or more information about the SV Competitions.

#### **Minimum Standards**

The Act requires organisations to comply with "national privacy principles" or an approved privacy code (an organisation can apply to the Privacy Commissioner for approval of its own code). The national privacy principles provide minimum standards for the collection, use, disclosure and storage of personal information, and the rights of individuals to access and correct that information.

The national privacy principles provide guidance in dealing with personal information:

- 1. Collection;
- 2. Use and disclosure;
- 3. Data quality;
- 4. Data security;
- 5. Openness;
- 6. Access and correction;
- 7. Identifiers;
- 8. Anonymity;
- 9. Transborder data flows;
- 10. Sensitive Information.

Skate Victoria is committed to the protection of personal information. A commitment is based on an adherence to the national privacy principles.

#### Collection

Skate Victoria collects a minimum of personal information from a prospective member, such as their name, contact detail, date of birth and medical information that SV should be aware. For the purpose of competitions medical information would usually concern emergency contacts and health care details. Skate Victoria may request from members they supply private banking details to facilitate the transfer of prize money from events they have participated in or refunds.

#### Use and Disclosure of Your Information

The primary purpose for the collection of personal information is to enable Skate Victoria to perform its functions and activities. An accurate record of its members is essential for this purpose. Medical information obtained by Skate Victoria is maintained solely by the Association's for the purpose of ensuring an individual's safety whilst participating in sanctioned activities. Individuals' medical information will at all times remain protected and will be released only to designated medical practitioners if the individual is injured in a sanctioned activity. An individual has the right to refuse consent for the use of the collected medical information. An individual also has the right to refuse to supply the information. If an individual refuses to provide the requested medical information or not consent to the use of that information in the case of injury or other medical emergency, then Skate Victoria will not assume any liability for any resulting action or disability that the individual may suffer as a result of his or her refusal.

#### **Access to Personal Information**

Skate Victoria will use its best endeavours to ensure that the information it obtains is accurate, complete and current. An individual may access or change information that the Association has collected through contacting SV Executive Officer office@skatevictoria.com.au

#### **Data Security**

Skate Victoria will endeavour to take all reasonable steps to keep secure any information held about an individual. Skate Victoria has security measures in place to protect the loss, misuse and alteration of the information under its control.

#### **Complaint**

If an individual considers that his or her privacy has been breached, a complaint may be made to the SV Executive Officer at <a href="mailto:office@skatevictoria.com.au">office@skatevictoria.com.au</a>. If the aggrieved person considers that the issue has not be resolved within an appropriate time frame, recourse may be made to the Federal Privacy Commissioner.

Further information on your rights can be found at www.privacy.gov.au

Ten National Privacy Principles extracted from Schedule 3 of the Privacy Act 1988 as amended to 14 September 2006.

#### 1. Collection

- 1.1 An organisation must not collect personal information unless the information is necessary for one or more of its functions or activities.
- 1.2 An organisation must collect personal information only by lawful and fair means and not in an unreasonably intrusive way.
- 1.3 At or before the time (or, if that is not practicable, as soon as practicable after) an organisation collects personal information about an individual from the individual, the organisation must take reasonable steps to ensure that the individual is aware of:
  - (a) the identity of the organisation and how to contact it; and
  - (b) the fact that he or she is able to gain access to the information; and
  - (c) the purposes for which the information is collected; and
  - the organisations (or the types of organisations) to which the organisation usually discloses information of that kind; and

- (e) any law that requires the particular information to be collected; and
- (f) the main consequences (if any) for the individual if all or part of the information is not provided.
- 1.4 If it is reasonable and practicable to do so, an organisation must collect personal information about an individual only from that individual.
- 15 If an organisation collects personal information about an individual from someone else, it must take reasonable steps to ensure that the individual is or has been made aware of the matters listed in subclause 1.3 except to the extent that making the individual aware of the matters would pose a serious threat to the life or health of any individual.

#### 2. Use and disclosure

- 2.1 An organisation must not use or disclose personal information about an individual for a purpose (the secondary purpose) other than the primary purpose of collection unless:
  - (a) both of the following apply:
    - the secondary purpose is related to the primary purpose of collection and, if the personal information is sensitive information, directly related to the primary purpose of collection;
    - ii. the individual would reasonably expect the organisation to use or disclose the information for the secondary purpose; or
  - (b) the individual has consented to the use or disclosure; or
  - (c) if the information is not sensitive information and the use of the information is for the secondary purpose of direct marketing:
    - i. it is impracticable for the organisation to seek the individual's consent before that particular use; and
    - ii. the organisation will not charge the individual for giving effect to a request by the individual to the organisation not to receive direct marketing communications; and
    - iii. the individual has not made a request to the organisation not to receive direct marketing communications; and
    - iv. in each direct marketing communication with the individual, the organisation draws to the individual's attention, or prominently displays a notice, that he or she may express a wish not to receive any further direct marketing communications; and
    - v. each written direct marketing communication by the organisation with the individual (up to and including the communication that involves the use) sets out the organisation's business address and telephone number and, if the communication with the individual is made by fax, telex or other electronic means, a number or address at which the organisation can be directly contacted electronically; or
  - (d) if the information is health information and the use or disclosure is necessary for research, or the compilation or analysis of statistics, relevant to public health or public safety:
    - i. it is impracticable for the organisation to seek the individual's consent before the use or disclosure; and
    - ii. the use or disclosure is conducted in accordance with guidelines approved by the Commissioner under section 95A for the purposes of this subparagraph; and

- iii. in the case of disclosure, the organisation reasonably believes that the recipient of the health information will not disclose the health information, or personal information derived from the health information; or
- (e) the organisation reasonably believes that the use or disclosure is necessary to lessen or prevent:
  - i. a serious and imminent threat to an individual's life, health or safety; or
  - ii. a serious threat to public health or public safety; or
- (f) if the information is genetic information and the organisation has obtained the genetic information in the course of providing a health service to the individual:
  - i. the organisation reasonably believes that the use or disclosure is necessary to lessen or prevent a serious threat to the life, health or safety (whether or not the threat is imminent) of an individual who is a genetic relative of the individual to whom the genetic information relates; and
  - ii. the use or disclosure is conducted in accordance with guidelines approved by the Commissioner under section 95AA for the purposes of this subparagraph; and
  - iii. in the case of disclosure, the recipient of the genetic information is a genetic relative of the individual; or
- (g) the organisation has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities; or
- (h) the use or disclosure is required or authorised by or under law; or
- (i) the organisation reasonably believes that the use or disclosure is reasonably necessary for one or more of the following by or on behalf of an enforcement body:
  - the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;
  - ii. the enforcement of laws relating to the confiscation of the proceeds of crime;
  - iii. the protection of the public revenue;
  - iv. the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
  - v. the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.
    - Note 1: It is not intended to deter organisations from lawfully co-operating with agencies performing law enforcement functions in the performance of their functions.
    - Note 2: Subclause 2.1 does not override any existing legal obligations not to disclose personal information. Nothing in subclause 2.1 requires an organisation to disclose personal information; an organisation is always entitled not to disclose personal information in the absence of a legal obligation to disclose it.
    - Note 3: An organisation is also subject to the requirements of National Privacy Principle 9 if it transfers personal information to a person in a foreign country.

- 2.2 If an organisation uses or discloses personal information under paragraph 2.1(h), it must make a written note of the use or disclosure.
- 2.3 Subclause 2.1 operates in relation to personal information that an organisation that is a body corporate has collected from a related body corporate as if the organisations primary purpose of collection of the information were the primary purpose for which the related body corporate collected the information.
- 2.4 Despite subclause 2.1, an organisation that provides a health service to an individual may disclose health information about the individual to a person who is responsible for the individual if:
  - (a) the individual:
    - i. is physically or legally incapable of giving consent to the disclosure; or
    - ii. physically cannot communicate consent to the disclosure; and
  - (b) a natural person (the carer) providing the health service for the organisation is satisfied that either:
    - i. the disclosure is necessary to provide appropriate care or treatment of the individual; or
    - ii. the disclosure is made for compassionate reasons; and
  - (c) the disclosure is not contrary to any wish:
    - expressed by the individual before the individual became unable to give or communicate consent; and
    - ii. of which the carer is aware, or of which the carer could reasonably be expected to be aware; and
  - (d) the disclosure is limited to the extent reasonable and necessary for a purpose mentioned in paragraph (b).
- 25 For the purposes of subclause 2.4, a person is responsible for an individual if the person is:
  - (a) a parent of the individual; or
  - (b) a child or sibling of the individual and at least 18 years old; or
  - (c) a spouse or de facto spouse of the individual; or
  - (d) a relative of the individual, at least 18 years old and a member of the individual's household: or
  - (e) a guardian of the individual; or
  - (f) exercising an enduring power of attorney granted by the individual that is exercisable in relation to decisions about the individual's health; or
  - (g) a person who has an intimate personal relationship with the individual; or
  - (h) a person nominated by the individual to be contacted in case of emergency.
- 2.6 In subclause 2.5:

*child* of an individual includes an adopted child, a step-child and a foster-child, of the individual.

*parent* of an individual includes a step-parent, adoptive parent and a foster-parent, of the individual.

**relative** of an individual means a grandparent, grandchild, uncle, aunt, nephew or niece, of the individual.

**sibling** of an individual includes a half-brother, half-sister, adoptive brother, adoptive sister, step-brother, step-sister, foster-brother and foster-sister, of the individual.

#### 3. Data quality

An organisation must take reasonable steps to make sure that the personal information it collects, uses or discloses is accurate, complete and up to date.

#### 4. Data security

- 4.1 An organisation must take reasonable steps to protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure.
- 4.2 An organisation must take reasonable steps to destroy or permanently de-identify personal information if it is no longer needed for any purpose for which the information may be used or disclosed under National Privacy Principle 2.

#### 5. Openness

- 5.1 An organisation must set out in a document clearly expressed policies on its management of personal information. The organisation must make the document available to anyone who asks for it.
- 5.2 On request by a person, an organisation must take reasonable steps to let the person know, generally, what sort of personal information it holds, for what purposes, and how it collects, holds, uses and discloses that information.

#### 6. Access and correction

- 6.1 If an organisation holds personal information about an individual, it must provide the individual with access to the information on request by the individual, except to the extent that:
  - (a) in the case of personal information other than health information providing access would pose a serious and imminent threat to the life or health of any individual; or
  - (b) in the case of health information providing access would pose a serious threat to the life or health of any individual; or
  - (c) providing access would have an unreasonable impact upon the privacy of other individuals; or
  - (d) the request for access is frivolous or vexatious; or
  - the information relates to existing or anticipated legal proceedings between the organisation and the individual, and the information would not be accessible by the process of discovery in those proceedings; or
  - (f) providing access would reveal the intentions of the organisation in relation to negotiations with the individual in such a way as to prejudice those negotiations; or
  - (g) providing access would be unlawful; or
  - (h) denying access is required or authorised by or under law; or
  - (i) providing access would be likely to prejudice an investigation of possible unlawful activity; or

- (i) providing access would be likely to prejudice:
  - the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law; or
  - ii. the enforcement of laws relating to the confiscation of the proceeds of crime; or
  - iii. the protection of the public revenue; or
  - iv. the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct; or
  - v. the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of its orders;
  - vi. by or on behalf of an enforcement body; or
- (k) an enforcement body performing a lawful security function asks the organisation not to provide access to the information on the basis that providing access would be likely to cause damage to the security of Australia.
- 6.2 However, where providing access would reveal evaluative information generated within the organisation in connection with a commercially sensitive decision making process, the organisation may give the individual an explanation for the commercially sensitive decision rather than direct access to the information.
  - Note: An organisation breaches subclause 6.1 if it relies on subclause 6.2 to give an individual an explanation for a commercially sensitive decision in circumstances where subclause 6.2 does not apply.
- 6.3 If the organisation is not required to provide the individual with access to the information because of one or more of paragraphs 6.1(a) to (k) (inclusive), the organisation must, if reasonable, consider whether the use of mutually agreed intermediaries would allow sufficient access to meet the needs of both parties.
- 6.4 If an organisation charges for providing access to personal information, those charges:
  - (a) must not be excessive; and
  - (b) must not apply to lodging a request for access.
- 6.5 If an organisation holds personal information about an individual and the individual is able to establish that the information is not accurate, complete and up-to-date, the organisation must take reasonable steps to correct the information so that it is accurate, complete and up-to-date.
- 6.6 If the individual and the organisation disagree about whether the information is accurate, complete and up-to-date, and the individual asks the organisation to associate with the information a statement claiming that the information is not accurate, complete or up-to-date, the organisation must take reasonable steps to do so.
- 6.7 An organisation must provide reasons for denial of access or a refusal to correct personal information.

#### 7. Identifiers

- 7.1 An organisation must not adopt as its own identifier of an individual an identifier of the individual that has been assigned by:
  - (a) an agency; or
  - (b) an agent of an agency acting in its capacity as agent; or
  - (c) a contracted service provider for a Commonwealth contract acting in its capacity as contracted service provider for that contract.
- 7.1 A However, subclause 7.1 does not apply to the adoption by a prescribed organisation of a prescribed identifier in prescribed circumstances.
  - Note: There are prerequisites that must be satisfied before those matters are prescribed: see subsection 100(2).
- An organisation must not use or disclose an identifier assigned to an individual by an agency, or by an agent or contracted service provider mentioned in subclause 7.1, unless:
  - (a) the use or disclosure is necessary for the organisation to fulfill its obligations to the agency; or
  - (b) one or more of paragraphs 2.1(e) to 2.1(h) (inclusive) apply to the use or disclosure; or
  - (c) the use or disclosure is by a prescribed organisation of a prescribed identifier in prescribed circumstances.

Note: There are prerequisites that must be satisfied before the matters mentioned in paragraph (c) are prescribed: see subsection 100(2).

#### 7.3 In this clause:

*identifier* includes a number assigned by an organisation to an individual to identify uniquely the individual for the purposes of the organisation's operations. However, an individual's name or ABN (as defined in the A New Tax System (Australian Business Number) Act 1999) is not an identifier.

#### 8. Anonymity

Wherever it is lawful and practicable, individuals must have the option of not identifying themselves when entering transactions with an organisation.

#### 9. Transborder data flows

An organisation in Australia or an external Territory may transfer personal information about an individual to someone (other than the organisation or the individual) who is in a foreign country only if:

- (a) the organisation reasonably believes that the recipient of the information is subject to a law, binding scheme or contract which effectively upholds principles for fair handling of the information that are substantially similar to the National Privacy Principles; or
- (b) the individual consents to the transfer; or
- (c) the transfer is necessary for the performance of a contract between the individual and the organisation, or for the implementation of pre-contractual measures taken in response to the individual's request; or
- (d) the transfer is necessary for the conclusion or performance of a contract concluded in the interest of the individual between the organisation and a third party; or
- (e) all of the following apply:

- i. the transfer is for the benefit of the individual;
- ii. it is impracticable to obtain the consent of the individual to that transfer;
- iii. if it were practicable to obtain such consent, the individual would be likely to give it; or
- (f) the organisation has taken reasonable steps to ensure that the information which it has transferred will not be held, used or disclosed by the recipient of the information inconsistently with the National Privacy Principles.

#### 10. Sensitive information

- 10.1 An organisation must not collect sensitive information about an individual unless:
  - (a) the individual has consented; or
  - (b) the collection is required by law; or
  - (c) the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any individual, where the individual whom the information concerns:
    - i. is physically or legally incapable of giving consent to the collection; or
    - ii. physically cannot communicate consent to the collection; or
  - (d) if the information is collected in the course of the activities of a non-profit organisation the following conditions are satisfied:
    - i. the information relates solely to the members of the organisation or to individuals who have regular contact with it in connection with its activities;
    - ii. at or before the time of collecting the information, the organisation undertakes to the individual whom the information concerns that the organisation will not disclose the information without the individual's consent; or
  - (e) the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.
- 10.2 Despite subclause 10.1, an organisation may collect health information about an individual if:
  - (a) the information is necessary to provide a health service to the individual; and
  - (b) the information is collected:
    - i. as required or authorised by or under law (other than this Act); or
    - ii. in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation.
- 103 Despite subclause 10.1, an organisation may collect health information about an individual if:
  - (a) the collection is necessary for any of the following purposes:
    - i. research relevant to public health or public safety;
    - ii. the compilation or analysis of statistics relevant to public health or public safety;
    - iii. the management, funding or monitoring of a health service; and
  - (b) that purpose cannot be served by the collection of information that does not identify the individual or from which the individual's identity cannot reasonably be ascertained; and
  - (c) it is impracticable for the organisation to seek the individual's consent to the collection; and
  - (d) the information is collected:

- i. as required by law (other than this Act); or
- ii. in accordance with rules established by competent health or medical bodies that deal with obligations of professional confidentiality which bind the organisation; or
- iii. in accordance with guidelines approved by the Commissioner under section 95A for the purposes of this subparagraph.
- 10.4 If an organisation collects health information about an individual in accordance with subclause 10.3, the organisation must take reasonable steps to permanently de-identify the information before the organisation discloses it.

#### 10.5 In this clause:

*non-profit organisation* means a non-profit organisation that has only racial, ethnic, political, religious, philosophical, professional, trade, or trade union aims.



# Schedule 9 Alcohol Management Policy



#### **Rationale**

This policy provides the basis for a balanced and responsible approach to the use of alcohol at **Skate Victoria** events and activities. This policy will help to ensure the club:

- Meets its duty of care in relation to the health and safety of our members and others who attend our functions.
- Upholds the reputation of the organisation, sponsors, partners and Good Sports.
- Understand the risks associated with alcohol misuse and our role in minimising this risk.

While **Skate Victoria** does not sell alcohol we acknowledge that alcohol **may occasionally** be consumed at events and activities, such as meetings, trivia nights and other fundraising events. Accordingly, the following requirements will apply to all players, coaches, officials, members, committee members, visitors, facilities, functions and other activities undertaken by the organisation where alcohol may be consumed.

#### **General Principles**

- The organisation will not advertise, promote or have alcohol served or consumed at junior events or activities.
- A risk management approach will be taken in planning events involving the supply or consumption of alcohol.
   Such events will be conducted and managed in a manner consistent with liquor licensing legislation and this policy.
- Alcohol misuse can lead to unsafe or unacceptable sexual and/or violent behaviour, drink-driving and other
  alcohol-related harm. Excessive consumption of alcohol will not be an excuse for unacceptable behaviour,
  particularly behaviour that endangers others or breaches the law, this policy or any other policy of the
  organisation.

#### Committee members, Members, Players and Officials

- Must not compete, train, coach or officiate if affected by alcohol.
- Must not provide, encourage or allow people aged under 18 to consume alcohol.
- Must not participate in or encourage excessive or rapid consumption of alcohol.
- Must not pressure anyone to drink alcoholic beverages.
- Must not post images on social media of themselves or others drinking alcohol at organisation-related activities.
- Must accept responsibility for own behaviour and take a responsible approach and use good judgment when alcohol is available.

#### **Functions**

If a function will involve the availability of alcohol, it will be conducted at a licensed venue with trained RSA staff. The organisation will not:

- Conduct functions where the venue requires a minimum amount of liquor sales or the liquor provider is paid by a percentage of sales
- Include alcohol in the price of tickets (or will limit 'free' drinks to a maximum of two).

Advertisements for functions will:

- Not overemphasise the availability of alcohol or refer to the amount of alcohol available
- Give equal reference to the availability of non-alcoholic drinks
- Display a clear start and finish time for the function.

#### Safe Transport

**Skate Victoria** recognises that driving under the influence of alcohol or drugs is illegal and hazardous to individuals and the wider community. Accordingly, Skate Victoria implements a Safe Transport Policy that is reviewed regularly in conjunction with this Alcohol Management Policy. We ask that all attendees at our functions plan their transport requirements to ensure they arrive home safely and prevent driving under the influence of alcohol or drugs.

#### Awards/Prizes

The organisation will avoid providing awards (e.g. at end of season presentations) and fundraising prizes that have an emphasis on or use alcohol as a reward.

#### Policy and Responsible Use of Alcohol Promotion

- The organisation will promote the alcohol management policy regularly:
  - By putting a copy of the policy on the website
  - In newsletters and flyers/invitations for functions
  - Via social media
  - Through periodic announcements to members at functions.
- The organisation will educate members and supporters about the alcohol policy and the benefits of having such a policy.
- The organisation will actively demonstrate its attitude relating to the responsible use of alcohol.
- The organisation will pursue non-alcohol sponsorship and revenue sources.
- The organisation will actively participate in the Australian Drug Foundation's Good Sports program with an ongoing priority to maintain Level 0 accreditation

#### **Non Compliance**

Skate Victoria committee members will enforce the alcohol management policy and any non-compliance will be handled according to the following process:

- Explanation of the policy to the person/people concerned, including identification of the section of policy not being complied with
- Continued non-compliance with the policy should be handled by at least two committee members who will use their discretion as to the action taken, which may include asking the person/ people to leave the facilities or function.





### Schedule 10 Smoke Free Policy



#### **Rationale**

Skate Victoria recognised that passive smoking (inhaling second-hand smoke) is hazardous to health and that non-smokers should be protected from tobacco smoke. Passive smoking can lead to other serious illnesses such as bronchitis, lung cancer, cardiovascular disease, and chest illnesses in children. Accordingly, the following policy has been developed by Skate Victoria to help protect people's health.

The move to go SmokeFree also complements the Skate Victoria desire to create a healthy family friendly environment. Skate Victoria believes that such an environment and image will be advantageous in attracting new members and positively promoting member's clubs in the community.

Legislation and the legal duty of care also provide reasons to have a SmokeFree club. Under common law Skate Victoria has a legal duty of care to ensure that members, volunteers, players and officials are not exposed to potentially harmful situations.

The Occupational Health and Safety Act also stipulates that employees and working volunteers must have a safe environment to work in. Victorian SmokeFree dining legislation (and other states) also states that enclosed dining areas must be SmokeFree.

#### **General Principles**

Section 6A of the Smoke-free Environment Act 2000 makes a number of outdoor public places smoke-free.

Smoking is now banned in spectator areas at public sports grounds and other recreational areas in Australia. However, smoking will only be banned when an organised sporting event is being held.

Major sporting facilities are included under the definition of a public sports ground and will be required to comply with the new law. Other outdoor sporting facilities, such as Local Council playing fields, are also covered by the new law.

Most council owned buildings require a SmokeFree Policy as part of the lease agreements. The provision of an environment free from smoking has many benefits, including:

- Catering for the majority of members and supporters who do not smoke
- Reduced risk of legal action from employees, patrons, spectators and participants, particularly with regards to passive smoking issues
- Reduced fire risk, which may lead to lower insurance premiums for your club
- A progressive healthy image in your community, which is beneficial for attracting community support and sponsors
- A healthy family friendly environment that can encourage new members, particularly juniors
- A safer and cleaner environment
- Reduced cleaning and maintenance costs
- Fulfilling Local Government Authority tenancy and lease requirements
- Protecting non-smokers from the dangers of other people's tobacco smoke

#### Who is Affected by the Policy

This policy applies to all members, administrators, officials, coaches, players and visitors of Skate Victoria events and activities.

#### **Designated Smokefree Areas**

The F.C requires the following areas to be SmokeFree:

- Club and social rooms
- Administration and office areas
- Changing rooms
- Toilet blocks
- Indoor spectator viewing areas
- Playing areas
- Eating areas
- Grandstands and spectator viewing areas
- Near entries and exits of buildings, facilities, and the ground

Member Clubs, please ensure you show a map or sketch of your facility/venue to clearly indicate all SmokeFree areas.

Good Sports encourages clubs to go smoke free. However, a good alternative is to have a designated smoker's area with amenities so exposure to smoke is limited and there is reduced litter from cigarette butts





## Schedule 11 Safe Transport Policy



#### **Rationale**

#### Skate Victoria recognises that:

- It has a duty of care to all members and guests involved in club-related activities
- Mixing drugs (including prescription medication) with other drugs or alcohol can seriously affect the ability to drive safely
- Driving under the influence of alcohol and drugs is illegal and hazardous to individuals and the wider community
- Drink driving is one of the main causes of road deaths in Australia
- It takes one hour for each standard drink of alcohol consumed to be broken down by the liver
- It takes considerable time until a person can legally and safely drive home if they have consumed over the recommended levels of alcohol.

Accordingly, the following safe transport policy shall apply for all functions undertaken by the club that involve the serving and/or consumption of alcohol.

#### **General**

• Contact telephone numbers for taxi services (where available) will be clearly displayed in the club.

#### **Club Functions**

- In specific cases, where a designated driver nominated by the club has accepted the responsibility to drive others home safely, the club will provide non alcoholic drinks and/or bar food free of charge (or passengers will be encouraged to pay for these for their driver).
- For selected functions the club will provide designated sleeping areas on site (where safe, possible and legal to do so) for members to use at the conclusion of the night. Members would need to bring a swag/sleeping bag.
- For selected functions held at a hotel or similar, the club will arrange for reduced-rate rooms if members would prefer to stay rather than drive while potentially intoxicated.
- Taxi companies (where available) will be provided with club function details for potential business on the night.
- Taxi company phone number(s) (where available) will be printed on the function invitation / flyers.
- The MC for the function/committee will advise attendees that the club is a Good Sport accredited club, communicate the safe transport options and regularly remind attendees to drink and behave responsibly.

#### Committee Members, Members, Players and Officials

Those attending club activities where they are planning on drinking alcohol are encouraged to:

- Make alternative transport arrangements to get to and from the activity safely.
- Plan ahead and arrange overnight accommodation.
- Share a taxi (where available) with friends.
- Catch public transport (where available).
- Ride with a driver who hasn't been drinking alcohol or taking drugs.

#### **Policies Review**

Date: 01/09/2022

This policy will be reviewed annually to ensure it remains relevant to Skate Victoria operations and reflects both community expectations and legal requirements.

Date: 01/09/2022

<b>Signature</b> Signed:	C Hawker	Signed:	5006	
	Executive Officer		Executive Member	

Next policy review date is **September 2023** 

#### **Document Revision History**

January 2016	Member Protection Policy	Updated
January 2016	Codes of Conduct	Updated
January 2016	National Child Protection Policy	Updated
January 2016	National Social Media Policy	Updated
January 2016	Anti-discrimination Policy	Updated
January 2016	Pregnancy Policy	Updated
January 2016	Anti-Bullying Policy	Updated
January 2016	Complaints Policy	Updated
January 2016	Privacy Policy	Updated
January 2016	Alcohol Management Policy	Updated
April 2016	Smokefree Policy	Updated
April 2016	Safe Transport Policy	Updated
December 2016	Code of Conduct	Updated
August 2018	Document	Formatted
May 2019	Victorian Fair Play Code	Added
May 2022	Code of Conduct	Updated
May 2022	National Child Protection Policy	Updated
September 2022	Links Updated	Updated
May 2023	Policy Statement	Updated
September 2023	Cover, Contents Page and Page Numbers	Updated

