



Stirling Senators Basketball Association Inc
ABN 22 603 463 596

MEMBER PROTECTION POLICY

1st June 2012

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MEMBER PROTECTION POLICY

1. Introduction

The major objective of the Stirling Basketball Association is to provide an opportunity for adults and juniors to play competitive basketball at the highest level available, in a safe and enjoyable environment.

2. Purpose of this By-law

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

3. Who this By-law Applies To

This By-law applies to everyone involved in the club including committee members, administrators, coaches, officials (umpires/referees/judges), players, parents and spectators.

4. Extent of Our Policy

Our policy covers unfair decisions (e.g. team selection) and actions, breaches of our code of behaviour and behaviour that occurs at practice, in the club rooms, at social events organised or sanctioned by the club (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings our club or sport into disrepute or there is suspicion of harm towards a child or young person.

5. Club Responsibilities

We will:

- implement and comply with our policy;
- promote our policy to everyone involved in our club;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy every 12-18 months; and
- seek advice from and refer serious issues to Basketball WA

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse) and any other issues that our state or national body request to be referred to them.

6. Individual Responsibilities

Everyone associated with our club must:

- comply with the standards of behaviour outlined in our policy;
- treat others with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour;
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour.

7. Protection of Children

7.1 *Child Protection*

Stirling Basketball Association is committed to the safety and wellbeing of all children and young people accessing our service. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

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

7.2 *Codes of Conduct for Adults and Children*

Stirling Basketball Association maintains codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. All participants (including their parents if under 18) must sign up to adhere to the codes of conduct. The code(s) of conduct set out professional boundaries, ethical behaviour and unacceptable behaviour. (See Attachment 2)

7.3 *Choosing Suitable Employees and Volunteers*

Stirling Basketball Association will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions).

This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

Stirling Basketball Association will ensure that working with children checks/criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law.

If a criminal history report is obtained as part of the screening process, the association will ensure that the criminal history information is dealt with in accordance with relevant state requirements. (See Attachment 1.2)

7.4 Support, Train, Supervise and Enhance Performance

The association will ensure that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

7.5 Empower and Promote the Participation of Children In Decision-Making And Service Development

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

7.6 Report and Respond Appropriately To Suspected Abuse and Neglect

Stirling Basketball Association will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The association will make all volunteers and employees aware of their responsibilities under respective state laws if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

In addition to any legal obligation, if any person feels another person or organisation bound by this policy is acting inappropriately towards a child or is breaching the code'(s) of practice set out they may make an internal complaint. Please refer to our complaints procedure outlined in section 10 of this policy. This will explain what to do about the behaviour and how the association will deal with the problem.

7.7 Supervision

Members under the age of 16 must be supervised at all times by a responsible adult. Our club will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 16 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

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

7.8 Transportation

Parents/guardians are responsible for transporting their children to and from club activities (e.g. practice and games). Where our club makes arrangements for the transportation of children (e.g. for away or over night trips), we will conduct a risk assessment that includes ensuring vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and appropriate safety measures are available (e.g. fitted working seatbelts).

7.9 Taking Images of Children

The issue of photography of minors, both still and video, is an increasing concern in our society. Stirling Basketball Association is mindful of the importance of recording of basketball contests to parents, coaches and relatives.

Photographs / Video recordings may be made of: Domestic, WABL and SBL games unless there is a complaint received by the Games Controller.

- If a complaint is received the Games Controller is to approach the photographer/video operator in a non-threatening manner, ask what the purpose of their recording is and ascertain the person's name and contact details.
- The Games Controller is then to explain to the photographer / video operator that a complaint has been received and that another person has requested that their child not be recorded.
- The Games Controller should then request the person's cooperation in not making any further recordings of the relevant game.
- If the photographer / video operator refuses to co-operate, the refusal should be reported to the complainant and the detail noted on the Games Controller's Report Form. If the complainant wishes to take the matter further, then this is up to them.
- At no stage should the Games Controller threaten to throw the photographer / video operator out of the Stadium or report them to the police. This will not achieve anything and could possibly amplify the situation. Never put yourself in a situation where you could get hurt.
- The club requires the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

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

8. Anti-harassment, Discrimination and Bullying

Our club opposes all forms of harassment, discrimination, vilification and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying are

against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

Our club takes all claims of harassment, discrimination, vilification, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the club (see Responding to Complaints).

Further examples of Harrasment, Discrimination and Vilification can be found in Attachment 5.

9. Inclusive practices

Our club is welcoming and we will seek to include members from all areas of our community.

9.1 *People with a disability*

Where possible we will include people with a disability in our teams.

A person with a disability has a right to be a member of our club in the same way as a person without a disability.

A person with a disability should also not be excluded from any administrative or coaching activities associated with basketball.

If a person with a disability has the necessary skills to compete in basketball competitively, he or she cannot be excluded because of conditions such as: asthma or a hearing loss.

9.2 *People from diverse cultures*

We will support and respect people from diverse cultures and religions to participate in our club and where possible will accommodate requests for flexibility (e.g. modifications to uniforms).

9.3 *Pregnancy*

Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in basketball. We recommend pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation.

9.4 *Girls playing in boys teams*

If there is not a separate sex competition, our club will support girls playing in boys teams up until the age of 12 years (when federal sex discrimination law says if differences in strength, stamina and physique are relevant, then single sex competition is required). After this age our club will consider each request on an individual basis including looking at the nature of our sport and other opportunities to compete.

10. Responding to Complaints

10.1 Complaints

Our club takes all complaints about on and off-field behaviour seriously. Our club will handle complaints based on the principles of procedural fairness (natural justice), that is:

- all complaints will be taken seriously;
- both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story);
- irrelevant matters will not be taken into account;
- decisions will be unbiased and fair; and
- any penalties imposed will be fair and reasonable.

In some cases complaints may be escalated to the Stirling Basketball Association Member Protection Tribunal, and/or Basketball WA and/or Warwick Leisure Centre.

10.2 Complaint Handling Process

A flow chart of the complaints handling process is available in Attachments 4.1 and 4.2.

When a complaint is received by our club, the person receiving the complaint (e.g. President, Member Protection Officer) will:

- listen carefully and ask questions to understand the nature and extent of the problem;
- ask what the complainant would like to happen;
- explain the different options available to help resolve the problem;
- take notes; and
- maintain confidentiality but not necessarily anonymity.

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

- supporting the person complaining to talk to the person being complained about
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gathering more information (e.g. from other people that may have seen the behaviour);
- seeking advice from our state body Basketball WA and/or Warwick Leisure Centre;
- referring the complaint to Basketball WA and/or Warwick Leisure Centre;
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to Basketball WA or Warwick Leisure Centre and an investigation is conducted, the association will:

- co-operate fully;
- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on Warwick Leisure Centre's or Basketball WA's recommendations.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

10.3 Member Protection Tribunal

Not all complaints need to be heard at a Tribunal. Many can be resolved before this stage. The Constitution outlines the dispute and disciplinary process of the association. In some cases the Management Committee or Executive Board may hear disputes or handle matters of misconduct. Where a Tribunal (or similar) policy is in force, a complainant may elect to have their complaint heard by the Tribunal by following the process in Attachment 4.1.

10.4 Child Abuse

“Child Abuse” relates to children at risk of harm (usually by adults, sometimes by other children and often by those they know and trust). It can take many forms. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

- Physical abuse by hurting a child or a child’s development (eg hitting, shaking or other physical harm; giving a child alcohol or drugs; giving bad nutritional advice; or training that exceeds the child’s development and maturity).
- 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.
- Emotional abuse by ill-treating a child (eg humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).
- Neglect (eg failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our club may need to report the behaviour to the police and/or relevant government authority.

10.5 Disciplinary Measures

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

- Be applied consistent with any contractual and employment rules and requirements;
- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;
- Be determined by our Constitution, By Laws and the rules of the game.

Possible measures that may be taken include:

- verbal and/or written apology;
- counselling 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 our association considers reasonable and appropriate.

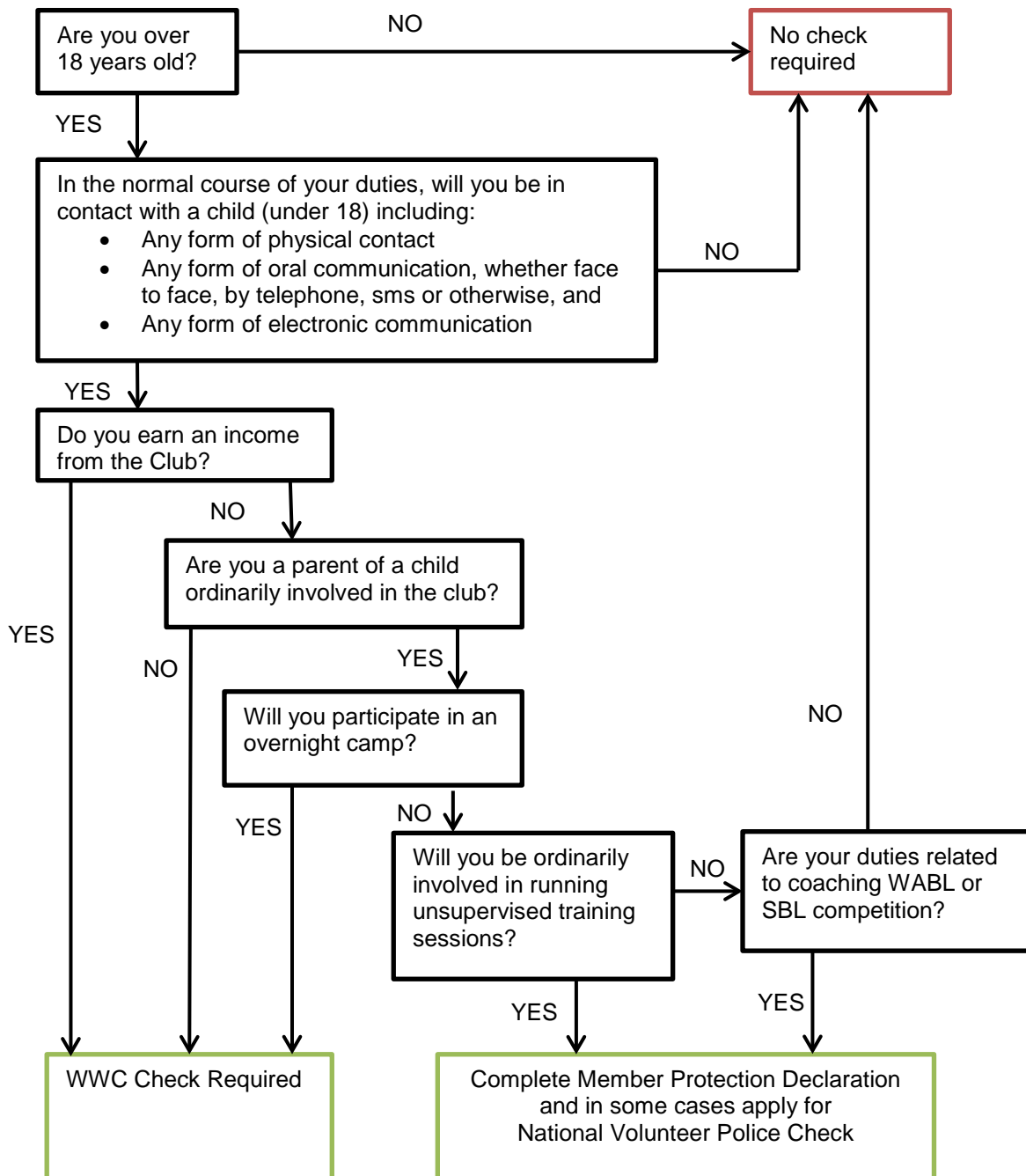
10.6 Appeals

The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by our club to Basketball WA. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

ATTACHMENT 1.1: WORKING WITH CHILDREN SCREENING POLICY FLOWCHART

Stirling Basketball Association will require from certain adults in ‘child related work’ either a valid Working With Children Check or a signed Member Protection Declaration and National Volunteer Police check.

The flow chart below provides a guide to which check you should apply for when you carry out work in connection with our club. The full process used by the association is available in attachment 1.2.



ATTACHMENT 1.2: WORKING WITH CHILDREN SCREENING POLICY

This attachment sets out the screening process for people in our club who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years. Stirling Basketball Association will:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Where possible, check a person's referees (verbal or written) about suitability for the role.
3. Require a valid WWC check from all people who are identified in Step 1 so long as they are not exempt by legislation (e.g parental exemption). A photocopy of the card will be retained securely by the association.
4. Recognise that in some cases an exemption may apply that makes it unlawful for a person to apply for a valid WWC check. In these instances we will require a completed Member Protection Declaration (MPD) and consent to a Volunteer National Police Check.
5. Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
6. If a police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we will make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
7. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under our policy. If unsatisfied, we will not appoint them.
8. Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
10. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.

ATTACHMENT 1.3: WORKING WITH CHILDREN CHECK – FURTHER INFORMATION

Working with Children Check (WWC Check)

The Working with Children Check (WWC Check) is a compulsory and rigorous criminal record check for certain people who carry out 'child-related work' in WA. A person is in 'child-related work' if the usual duties of their work involves, or is likely to involve contact with a child in connection with specified categories of work (see the website below for further details). It includes child-related work carried out by paid employees, volunteers, unpaid people and the self-employed.

Parents volunteering in connection with their child's activity are exempt (although this does not apply to overnight camps); however they may still be required to complete the non-WWC Check screening process. There are other exemptions, for example volunteers under 18 years old. Further details about exemptions can be found on the website below. Only those in child-related work under the Act may apply.

Applicants will be issued with either:

- An Assessment Notice in the form of a WWC Card enabling them to be in all types of child-related work for three years unless there are new offences of concern.
- An Interim Negative Notice, which prohibits them from child-related work until a final decision is made on their application.
- A Negative Notice, which prohibits them from child-related work.

There are set obligations and strong penalties for non-compliance including for employers and volunteer co-coordinators.

For more information:

www.checkwwc.wa.gov.au or call 1800 883 979 (toll free)

ATTACHMENT 1.4: MEMBER PROTECTION DECLARATION

Completion of a Member Protection Declaration by certain people is a mandatory requirement imposed on our association by Basketball Australia and Basketball WA (BWA Member Protection Policy Rule 10.1). Volunteers (including coaches) who are likely at any time to have individual and unsupervised contact with persons under 18 years of age, or who are likely to travel away with persons under 18 years of age must complete this declaration if they do not hold a valid Working with Children Check.

This form will be retained securely by the association's Member Protection Officer, or in their absence The Secretary.

I (name)

of (address)

born/...../.....

solemnly and sincerely declare:

1. I do not have any criminal charge pending before the courts for any criminal offence relating to narcotics, violence or abuse including sexual abuse.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence or narcotics.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.
4. To my knowledge there is no other matter that the club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
5. I will notify the President of the club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

I make this declaration that the information contained in it is true and correct and I make it understanding that a person making a false declaration is liable to the penalties of perjury.

Declared at _____, in the State of Western Australia on/...../.....(date)

Signature

Before me:

(to be witnessed by a person qualified to take statutory declarations)

ATTACHMENT 2: CODES OF BEHAVIOUR

Stirling Basketball Association (SBA) expects all club members (players, coaches, officials, parents and volunteers) to abide by these Codes of Conduct.

The major objective of the Stirling Basketball Association is to provide an opportunity for adults and juniors alike to play competitive basketball at the highest level available (SBL and WABL) in a safe environment designed to maximise the acquisition of skill whilst, at the same time, provide enjoyment to all concerned. The following Codes of Conduct, if followed by all people involved in our game, should ensure the fulfilment of this important objective.

1. Club Code of Conduct

All club members and representatives shall:

- 1.1. Not knowingly discriminate against, abuse, harass, ridicule or embarrass anyone by this code of conduct
- 1.2. Be fair, considerate and honest in all dealings with others.
- 1.3. Treat all persons with respect, dignity and proper regard for their rights and obligations.
- 1.4. Act at all times in a fair and sporting manner and in such a way as to ensure good relations within and between teams and other organisations.
- 1.5. Conduct themselves in a proper manner to the complete satisfaction of the SSBA and its delegates so as not to bring themselves, SSBA or the team into public disrepute.
- 1.6. Not approach an official prior to, during or after a game in an aggressive, threatening or negative manner.
- 1.7. Refrain from engaging in any form of victimisation or sledging towards opposition players or coaching staff prior to, during or after a game.

2. Committee's Code of Conduct

All committee members, in addition to the Club Code of Conduct (1), shall:

- 2.1. Ensure that equal opportunity for participation is made available to all interested participants.
- 2.2. Ensure, to the best of the committee's ability, that qualified and competent coaches and officials capable of developing appropriate sports behaviour and skill technique are utilised at all times within the association.
- 2.3. Ensure that parents, coaches, sponsors, trainers and participants understand their responsibilities regarding fair play.
- 2.4. Maintain a zero tolerance level of any unsporting behaviour and promote respect for all opponents throughout the club.
- 2.5. Ensure that your behaviour is consistent with the principles of good sporting behaviour.
- 2.6. Address any complaints or breaches of the Code of Conduct in a fair, impartial, timely and confidential manner.

3. Coach's Code of Conduct

All coaches, in addition to the Club Code of Conduct (1), shall:

- 3.1. Ensure that equipment and facilities meet safety standards and are appropriate to the age and/or ability of the players.
- 3.2. Display good sportsmanship at all times.
- 3.3. Develop team respect for the ability of opponents as well as for the judgment of officials and opposing coaches.
- 3.4. Make it clear to team members that any unlawful discrimination against referee's or players, coaches and supporters of opposing clubs will not be tolerated.
- 3.5. Maintain positive coach / official relationships.
- 3.6. Keep yourself informed of sound coaching principles and, in WABL competition, the principles of growth and development of children.

4. Parent's/Spectator's Code of Conduct

All parents and spectators in addition to the Club Code of Conduct (1), shall:

- 4.1. Encourage players to always participate according to the rules.
- 4.2. Never ridicule or yell at a player for making a mistake or losing a game.
- 4.3. Support all efforts to remove verbal and physical abuse from sporting activities.
- 4.4. Recognise the value and importance of volunteer coaches.
- 4.5. Condemn the use of violence in any form, be it by spectators, coaches, officials or players.
- 4.6. Demonstrate appropriate social behaviour by not using foul language, harassing players, coaches or umpires.

5. Player's Code of Conduct

All players, in addition to the Club Code of Conduct (1), shall:

- 5.1. Play by the rules.
- 5.2. Cooperate with their team mates and coaches
- 5.3. Never argue with an official. If you disagree with an official, discuss the matter with your coach after the game.
- 5.4. Control their temper. Verbal or physical abuse of officials, or coaches, players and supporters of opposing teams will not be tolerated.
- 5.5. Avoid using derogatory, demeaning or bullying language.
- 5.6. Be prepared to take responsibility for your actions.

6. Referee's Code of Conduct

All referee's, in addition to the Club Code of Conduct (1), shall:

- 6.1. Be consistent, objective and courteous in calling all infractions.
- 6.2. Condemn unsporting behaviour and promote respect for all opponents.
- 6.3. Ensure that your behaviour is consistent with the principles of good sporting behaviour. Actions speak louder than words.
- 6.4. Make a personal commitment to keep yourself informed of sound officiating principles.
- 6.5. Avoid use of derogatory, demeaning or bullying language.

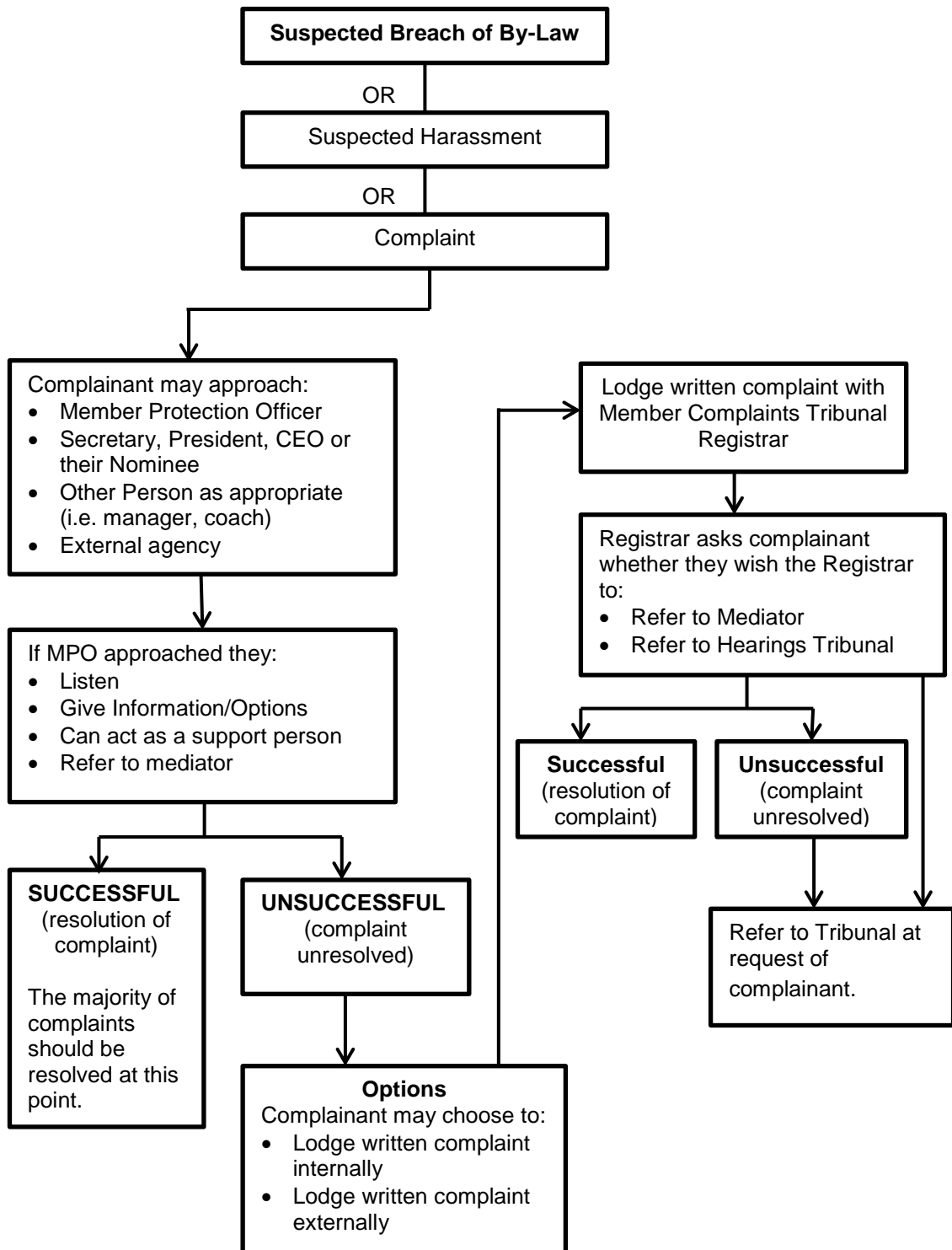
ATTACHMENT 3: REPORTING FORMS

RECORD OF COMPLAINT

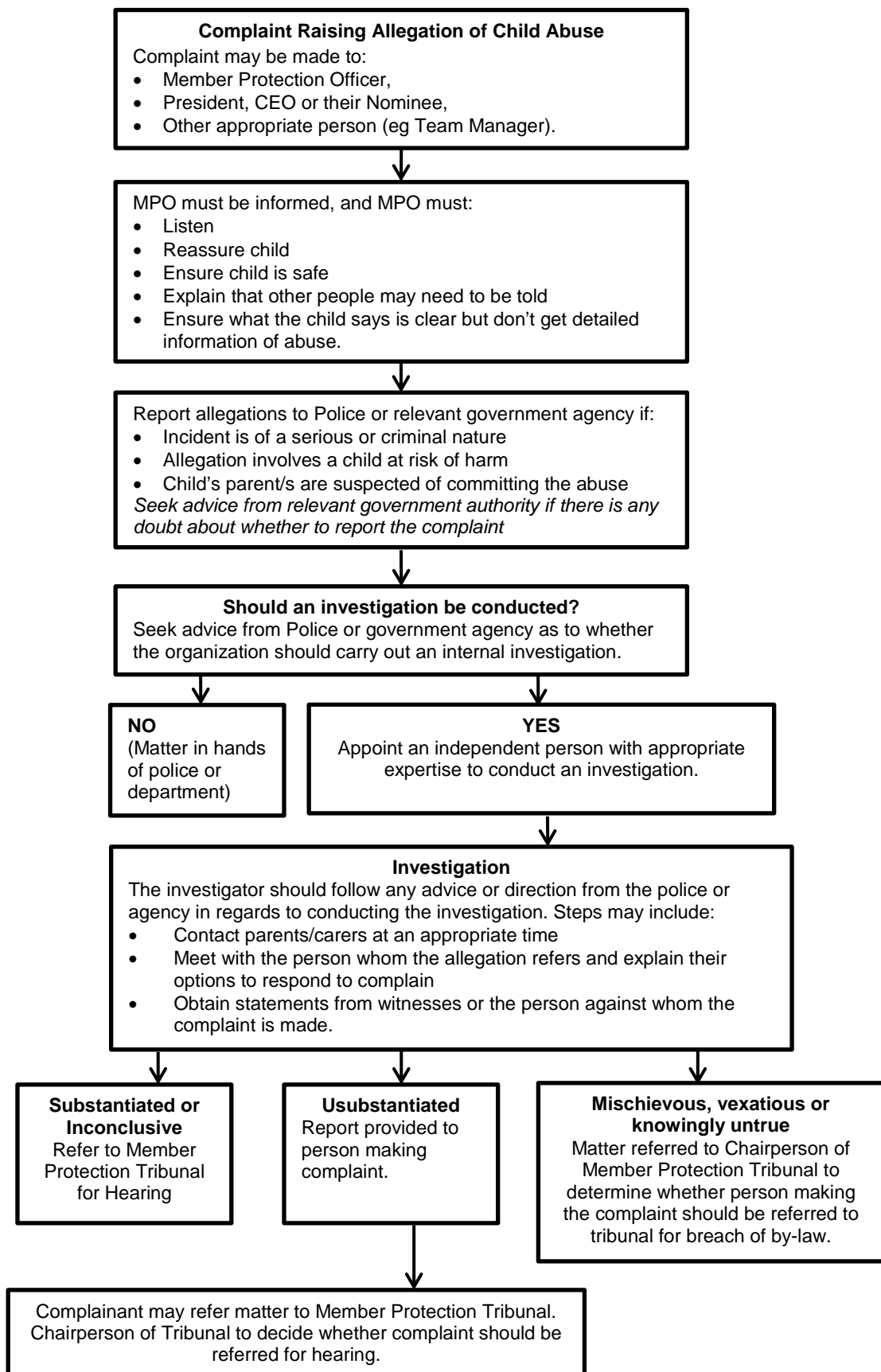
Name of person receiving complaint		Date: / /
Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Complainant's contact details	Phone: Email:	
Complainant's role/status in Club	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Name of person complained about	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Person complained about role/status in Club	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (category/basis/grounds) Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision Other	

What they want to happen to fix issue	
Information provided to them	
Resolution and/or action taken	
Follow-up action	

ATTACHMENT 4.1: COMPLAINT RESOLUTION PROCEDURE FLOW CHART



ATTACHMENT 4.2: COMPLAINT RESOLUTION PROCEDURE WHERE CHILD ABUSE IS RAISED



ATTACHMENT 5: EXAMPLES OF HARRASMENT, DISCRIMINATION, AND VILIFICATION

1. Sexual Harassment

1.1 Sexual Harassment includes:

- a) an unwelcome sexual advance; or
- b) an unwelcome request for sexual favours; or
- c) any unwelcome conduct of a sexual nature (including a statement, orally or in writing, of a sexual nature),

where the person being harassed felt offended, humiliated or intimidated and this was reasonable in the circumstances.

1.2 Sexual Harassment is often, but need not be, behaviour which either:

- a) involves blackmail, in that the harassment is accompanied by a direct or implied threat, promise or benefit. For example, a coach who implies that a player's selection to a team is dependent on compliance with a sexual proposition; or
- b) creates a hostile or sexually permeated environment, in that the harassment consists of crude remarks, jokes, the display of offensive material or makes the environment uncomfortable.

1.3 Examples of Sexual Harassment may include:

- a) Uninvited touching, kissing, embracing, massaging;
- b) Staring, leering, ogling;
- c) Smutty jokes and comments;
- d) Persistent or intrusive questions about people's private lives;
- e) Repeated invitations to go out, especially after prior refusal;
- f) The use of promises or threats to coerce someone into sexual activity;
- g) The display of sexually explicit material, eg Internet use, computer screen savers, calendars, posters;
- h) Getting undressed in front of others of the opposite sex;
- i) Invading the privacy of others while showering or toileting;
- j) Photographing others while undressing, showering or toileting.
- k) Encouragement or coercion of a person to change sexual orientation or practices.

1.4 Sexual Harassment may be a criminal offence, for example:

Indecent assault, rape, obscene telephone calls or letters. If you believe that a criminal offence may have been committed you should seek legal advice and/or notify the police. You can do this without divulging the name or identity of the complainant.

2. Racial Harassment

2.1 Racial Harassment includes:

harassment based on colour, descent, national or ethnic origin, cultural activity and sometimes religion.

2.2 Examples of Racial Harassment include:

- a) Jokes in which race is a significant characteristic of the 'butt' of the joke;
- b) Hostile comments about food eaten, dress or religious or cultural practices;
- c) Inferences that all members of a racial or cultural group have particular negative characteristics, such as laziness, drunkenness, greed or sexual promiscuity;
- d) Parodying accents.

3. Sexuality Harassment

3.1 Sexuality Harassment includes:

harassment based on actual or assumed homosexuality, heterosexuality, bi-sexuality or transsexuality.

3.2 Examples of Sexuality Harassment include:

- a) Jokes in which sexuality is a significant characteristic of the 'butt' of the joke;
- b) Hostile comments about assumed sexual practices or social activities;

3.3 In severe cases:

Such as threats or acts of violence against a homosexual person, Sexuality Harassment may be a criminal offence. If you believe that a criminal offence may have been committed you should seek legal advice and/or notify the police. The name or identity of the complainant need not be divulged.

4. Disability Harassment

4.1 Disability Harassment includes:

- a) harassment based on physical, mental or psychological disability or
- b) harassment of an associate or aide of a person with a disability.

4.2 Examples of Disability Harassment include:

- a) Jokes where a particular disability is a significant characteristic of the 'butt' of the joke;
- b) Interfering with a disability aid, (eg hearing aid);
- c) Obstructing a person in a manner that compounds his or her disability, (eg putting obstacles in the path of a person with a vision impairment);
- d) Mocking a person's disability;
- e) Hostility based on assumed AIDS or HIV infection.

5. Abuse

5.1 Abuse may be a form of Harassment. It includes:

- a) Physical abuse, (eg assault);
- b) Emotional abuse, (eg blackmail, repeated requests or demands, excluding someone);
- c) Neglect, (eg failure to provide the basic physical and emotional necessities of life);
- d) Abuse of power, which the harasser holds over the harassed.

5.2 Examples of relationships in clause 5.1(d) that involve a power disparity include:

a coach–player, manager–player, employer–employee, doctor–patient. People in such positions of power need to be particularly wary not to exploit that power.

5.3 Examples of abusive behaviour include:

- a) Bullying and humiliation of players by coaches, spectators and parents;
- b) Verbal abuse and insults directed by players or parents at opposing participants;
- c) Verbal and/or physical abuse of coaches by players, spectators, umpires or parents;
- d) Verbal and/or physical abuse of umpires by players, coaches and spectators.

5.4 Some forms of Abuse may constitute a criminal offence, for example:

assault and child abuse. If you believe that a criminal offence may have been committed you should seek legal advice and/or notify the police. You can do this without divulging the name or identity of the complainant.

7. Coach-Player relationships:

Stirling Basketball Association takes the view that intimate relationships (whether or not of a sexual nature) between coaches and players, while not necessarily constituting Harassment, can have harmful effects on the individual player involved, on other players, and on the sport's public image. Such relationships may be perceived to be exploitative because there is usually a disparity between coaches and players in terms of authority, maturity, status and dependence. Given there is always a risk that the relative power of the coach has been a factor in the development of such relationships, they should be avoided by coaches at all levels. In the event that a player attempts to initiate an intimate relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such actions. Whilst not necessarily constituting harassment, it is an offence under this By-law for any coach, or official over 18 years of age to whom this By-law applies to be involved in an intimate relationship (of any nature) with a player under the age of 18 years where that player is directly or indirectly under the control or supervision of that coach or official.

8. Victimisation

8.1 Discrimination also includes Victimisation

Victimisation is where a person is subject to, or is threatened to suffer, any detriment or unfair treatment, because that person has or intends to pursue their legal rights under anti-harassment legislation or under this By-law.

9. Vilification

Vilification involves a person inciting hatred towards, serious contempt for, or severe ridicule of, a person or group of persons by public act. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

9.1 Some forms of Vilification may be a criminal offence:

For example where harm is threatened. If you believe that a criminal offence may have been committed you should seek legal advice and/or notify the police. You can do this without divulging the name or identity of the complainant.