



**Wrestling Australia
NATIONAL MEMBER PROTECTION POLICY**

**VERSION 9
[Updated May 2020]**

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Preface

Wrestling Australia Incorporated (WAI) is committed to providing a safe and positive sporting experience to all individuals who participate in our wonderful sport. As an organization WAI is dedicated to ensuring the safety and well-being of all participants from state level to national level and international level. WAI is dedicated to ensuring that all members of WAI are safe from any form of harassment. WAI is dedicated to maintaining a safe environment for all activities delivered by WAI, and its affiliates in all disciplines of the sport – Freestyle, Female, Greco Roman and Beach Wrestling. It is unlawful to discriminate against people on the basis of an attribute or personal characteristic.

It is unlawful to harass and bully people.

It is therefore unlawful, let alone socially unacceptable to discriminate, harass or bully our wrestling members. We will take all measures possible to create a safe and happy environment for all participants.

It is on this basis that we are proud to put in place practices that will ensure that participants, including wrestlers, coaches, officials, administrators and spectators, are provided with a safe and harassment-free sport.

The policy also details the relevant child protection requirements for States having Child protection/working with children legislation.

Please abide by the articles of this policy and help us to ensure that the sport of Wrestling continues to offer one of the safest sporting experiences in Australia

President: Talgat Ilyasov

Date: 2nd June 2020

PART A: NATIONAL MEMBER PROTECTION POLICY

1. Introduction

1.1 Vision

The vision of WAI is to facilitate continual growth of wrestling within Australia.

1.2 Mission

The mission of WAI is to nationally develop, promote, administer and co-ordinate in a professional and efficient manner the sport of wrestling for the enjoyment and benefit of all.

1.3 Core Values

- Strive for excellence and innovation.
- Value the well-being and diversity of our people.
- Be responsive to our stakeholders needs.
- Listen and communicate openly.
- Be open and transparent.
- Be cooperative and work as a team.
- Be objective, fair and nationally focused in our decision-making

2. Purpose of the National Member Protection Policy

This Member Protection Policy (“policy”) aims to assist Wrestling Australia Inc (WAI) (“our”, “us” or “we”) to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. 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 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 WAI to take disciplinary action against any person or organization bound by this policy if they breach the policy.

This policy has been endorsed by the WAI Board. The policy starts on 2nd June 2020 and will operate until replaced. This policy and/or its attachments may be amended from time to time by amendments, by resolution of the WAI Board. Copies of the policy and its attachments can be obtained from our website www.wrestling.com.au or from the National WAI Office.

This policy is supported by Member Protection Policies that have been adopted and implemented by our member associations and affiliated club

3. Who is bound by this policy

This policy should apply to as many persons as possible who are involved with the activities of WAI, whether they are in a paid or unpaid/voluntary capacity, including:

- 3.1 persons appointed or elected to WAI boards, committees and sub-committees
- 3.2 employees of WAI;
- 3.3 members of any WAI sub-committees;
- 3.4 support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- 3.5 coaches and assistant coaches;
- 3.6 athletes;
- 3.7 referees, umpires and other officials;
- 3.8 members, including life members of WAI;
- 3.9 athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by WAI;
- 3.10 member states
- 3.11 member delegates
- 3.12 parent, guardians, spectators and sponsors to the full extent that is possible including where such person or organizations have agreed, in writing or otherwise, to be bound by this policy.
- 3.13 member associations
- 3.14 affiliated clubs and associated organisations.
- 3.15 any other associations, such as Coaches Association, Players Association, etc.

This policy will continue to apply to a person even after he or she has stopped their association or employment with WAI, if disciplinary action against that person has begun.

4. Organisational responsibilities

WAI member states and affiliates clubs must:

- 4.1 adopt, implement and comply with this policy
- 4.2 ensure that this policy is enforceable
- 4.3 publish, distribute and promote this policy and the consequences of any breaches of the policy
- 4.4 promote and model appropriate standards of behaviour at all times
- 4.5 deal with any complaints made under this policy in an appropriate manner
- 4.6 deal with any breaches of this policy in an appropriate manner
- 4.7 recognize and enforce any penalty imposed under this policy
- 4.8 ensure that a copy of this policy is available or accessible to all people and organizations to whom this policy applies
- 4.9 use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour (e.g. Member Protection Information Officers)
- 4.10 monitor and review this policy at least annually.

5. Individual responsibilities

Individuals bound by this policy must:

- 5.1 make themselves aware of the contents of this policy;
- 5.2 comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy ;
- 5.3 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;
- 5.4 place the safety and welfare of children above other considerations;
- 5.5 be accountable for their behaviour: and,
- 5.6 comply with any decisions and/or disciplinary measures imposed under this policy.

6. Position statements

6.1 Child protection

WAI 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.

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

6.1.1 Identify and analyze risk of harm

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

6.1.2 Develop codes of behaviour

WAI 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. WAI will also implement a code of behaviour to promote appropriate conduct between children.

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

6.1.3 Choose suitable employees and volunteers

WAI will take all reasonable steps to ensure that our organization 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.

WAI will ensure that Working with Children Checks are conducted for all employees and volunteers who work with children, where an assessment is required by law. If a criminal history report is obtained as part of their screening process, WAI will handle

this information confidentially and in accordance with the relevant legal requirements. (Refer to the attachments in Part C of this policy.)

6.1.4 Support, train, supervise and enhance performance

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

6.1.5: Empower and promote the participation of children

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

6.1.6: Report and respond appropriately to suspected abuse and neglect

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

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

6.2 Taking images of children

There is a risk that images of children may be used inappropriately or illegally. WAI requires that individuals and associations, always 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, WAI 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, WAI 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. WAI 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.

WAI 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. WAI will seek permission from the parents/guardians of the children before using the images. WAI require our member associations and clubs to do likewise.

6.3 Anti-discrimination and harassment

WAI 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.

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

6.3.1 Discrimination

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

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

Discrimination can be either direct or indirect.

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

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

6.3.2 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.

6.3.3 Prohibition against discrimination and harassment

WAI prohibit all forms of harassment and discrimination based on the personal characteristics listed in the “Definitions” set out in the Dictionary of Terms [see clause 10].

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

6.4 Intimate relationships

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

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

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

WAI 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, Complaints Manager 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 WAI 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 the Member Protection Information Officer, Complaints Manager or other official. The complaints procedure is outlined in Part D of this policy.

6.5 Pregnancy

WAI is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in Wrestling. WAI will not tolerate any discrimination or harassment against pregnant women.

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

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

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

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

6.6 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 recognizes 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.

6.6.1 Gender identity discrimination and harassment

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

WAI is committed to providing a safe, fair and inclusive sporting environment all where people can contribute and participate. WAI 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. WAI will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual. (Refer to the attachments in Part D of this policy.)

WAI 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.

6.6.2 Participation in sport

WAI recognises that excluding people from participating in sporting events and activities because of their gender identity may have significant implications for their health, wellbeing and involvement in community life. WAI 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, WAI will consider whether the established discrimination exceptions for participation in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.

WAI is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends to compete at an elite level, WAI would encourage them to obtain advice about the IOC's criteria which may differ from the position we have taken.

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

6.6.3. Intersex status

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

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

6.7 Responsible service and consumption of alcohol

WAI is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. WAI also recommend that state associations and member clubs follow strict guidelines regarding the service and consumption of alcohol.

In general, WAI's policy is that:

- alcohol should not be available or consumed at sporting events involving children and young people under the age of 18;

Further guidance on developing an Alcohol Policy is available at:
www.playbytherules.net.au/resources/club-toolkit.

6.8 Smoke-free environment

WAI is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse.

In general, WAI's policy is that:

- no smoking shall occur at or near sporting events involving children and young people under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers;
- social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas; and
- coaches, officials, trainers, volunteers and players will refrain from smoking while they are involved in an official capacity in our sport, both on and off the field.

6.9 Bullying

WAI is committed to providing an environment that is free from bullying. WAI understands 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-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. WAI will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a referee,

teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club, league or peak sporting body.

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

6.10 Social networking

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

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

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

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

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

Further guidance on developing a Communications Policy is available at: www.playbytherules.net.au/resources/club-toolkit.

OTHER RELEVANT POLICIES

Other WAI relevant policies can be found at www.wrestling.com.au; some of the policies which contribute to the welfare of those involve in WAI activities include:

- Risk Management Policy (2020)
- Anti-Doping Policy (2020)
- Anti-Match Fixing Policy (2013)
- Communication Policy (2015)
- Concussion Policy (2015)
- Transgender Participation Policy (2019)

7. Complaints procedures

7.1 Handling complaints

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

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

In the first instance, complaints should be reported to the Member Protection Information Officer.

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

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

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

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

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

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

7.2 Improper complaints and victimisation

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

WAI will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures may be undertaken in respect of a person who harasses or victimises another person for making a complaint or supporting another person's complaint.

If at any point in the complaint handling process the Member Protection Information Officer considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or inappropriately intended to cause distress to the respondent, the matter may be referred in writing to the WAI Board for review and appropriate action, including possible disciplinary action against the complainant.

7.3 Mediation

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

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

If a complainant wishes to resolve the complaint with the help of a mediator, the Member Protection Information Officer will, in consultation with the complainant, arrange for an independent mediator where possible. WAI **will not** allow lawyers to participate in the mediation process.

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

7.4. Tribunals

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

- referred to it by the Complaint Handler
- referred to it or escalated by a state association, because of the serious nature of the complaint, because it was unable to be resolved at the state level or because the policy of the state association directs it to be
- for an alleged breach of this policy.

WAI's Tribunal procedure is outlined in Attachment D4.

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

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

8. What is a breach of this policy?

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

- 8.1 breaching the codes of behaviour (see Part B of this policy);
- 8.2 bringing WAI into disrepute, or acting in a manner likely to bring the sport of Wrestling or WAI into disrepute;
- 8.3 failing to follow WAI policies (including this policy) and our procedures for the protection, safety and well-being of children;
- 8.4 discriminating against, harassing or bullying (including cyber-bullying) any person;
- 8.5 victimising another person for making or supporting a complaint;
- 8.6 engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- 8.7 verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 8.8 disclosing to any unauthorised person or organisation any WAI information that is of a private, confidential or privileged nature;

- 8.9 making a complaint that they know to be untrue, vexatious, malicious or improper;
- 8.10 failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; and
- 8.11 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

9. Disciplinary measures

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

Any disciplinary measure imposed will be:

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

9.1 Individual

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

- 9.1.1 a direction that the individual make a verbal and/or written apology;
- 9.1.2 a written warning;
- 9.1.3 a direction that the individual attend counselling to address their behaviour;
- 9.1.4 a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by WAI;
- 9.1.5 a demotion or transfer of the individual to another location, role or activity;
- 9.1.6 a suspension of the individual's membership or participation or engagement in a role or activity;
- 9.1.7 termination of the individual's membership, appointment or engagement;
- 9.1.8 a recommendation that WAI terminate the individual's membership, appointment or engagement;
- 9.1.9 in the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- 9.1.10 a fine;
- 9.1.11 any other form of discipline that the WAI Board considers appropriate.

9.2 Organisation

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

- 9.2.1 a written warning;

- 9.2.2 a fine;
- 9.2.3 a direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;
- 9.2.4 a direction that any funding granted or given to it by WAI cease from a specified date;
- 9.2.5 a direction that WAI cease to sanction events held by or under the auspices of that organisation;
- 9.2.6 a recommendation to WAI that its membership of the WAI be suspended or terminated in accordance with the relevant constitution or rules;
- 9.2.7 any other form of discipline that the national body or peak organisation considers reasonable and appropriate.

9.3 Factors to consider

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

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

10. Dictionary of terms

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

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 recognised by a state association and WAI as being affiliated with WAI.

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, nonaccidental physical trauma or injury. This may include, but is not limited to, hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity.
- **sexual abuse**, which occurs when an adult, other child, or adolescent uses their power or authority to involve a child in a sexual

activity or any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography, including child pornography, or inappropriate touching or conversations).

- **emotional abuse**, which occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism, hostility, teasing/bullying, humiliation, taunting, sarcasm, yelling, name-calling or placing unrealistic expectations on a child.
- **neglect**, which occurs when a child's basic necessities of life are not met and their health and development are affected. Basic needs include food, water, shelter, adequate clothing, personal hygiene, timely provision of medical treatment and adequate supervision.

Complaint means a complaint made under clause 7 of this policy

Complainant means the person making a complaint.

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

Discrimination occurs when someone is treated (or is proposed to be treated) unfairly or less favorably 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:
www.playbytherules.net.au/legal-stuff/discrimination

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

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

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

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

Member means a member of a state association and/or a member of WAI.

Member Protection Information Officer (MPIO) 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, preengagement or current employment background check on a person.

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

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

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

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

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

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

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

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

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

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

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

Victimisation means treating someone unfairly or unfavorably, or threatening to do so, because that person has, or intends to, pursue their right to make any complaint,

including a complaint under government legislation (e.g. anti-discrimination legislation) or under this policy, or for supporting another person to make complaint. **Vilification** means behaviour that occurs in public which incites hatred towards, serious contempt for, or revulsion or severe ridicule of a person or group of people because that person or persons have a particular personal characteristic. Anti-discrimination laws in Australia make it unlawful to vilify a person or group of persons on the basis of race, religion, homosexuality, transgender status and HIV/AIDS status.

PART B: CODES OF BEHAVIOUR

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

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

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

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

ATTACHMENTS

- Attachment B1: General Code of Conduct
- Attachment B2: Coach Code of Conduct
- Attachment B3: Participants Code of Conduct
- Attachment B4: Officials Code of Conduct
- Attachment B5: Representative Teams Code of Conduct
- Attachment B6: Parent/Guardian Code of Conduct
- Attachment B7: Directors Code of Conduct
- Attachment B8: Communication Policy Statement
- Attachment B9: Selection Process Policy
- Attachment B10: Transgender Participation Policy

Attachment B1: GENERAL CODE OF CONDUCT

As a person required to comply with this Policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the WAI., a Member State or a State Affiliate and in any role you hold within the WAI., a Member State or a State Affiliate:

1. Respect the rights dignity and worth of others.
 2. Be fair, considerate and honest in all dealing with others.
 3. Be professional in and accept responsibility for your actions.
 4. Make a commitment to providing quality service.
 5. Demonstrate a high degree of individual responsibility especially when dealing with persons less than 18 years of age, as your words and actions are an example.
 6. Be aware of, and maintain an uncompromising adherence to the WAI. standards, rules, regulations and policies.
 7. Operate within the rules of the WAI. including national policies and guidelines, which govern THE WAI., and the Member States.
 8. Understand your responsibility if you breach, or are aware of any breaches of this Code of Behaviour.
 9. Do not use your involvement with WAI, a Member State or a State Affiliate to promote your own beliefs, behaviours or practices where these are inconsistent with those of WAI., the Member States or the State Affiliates.
 10. Avoid unaccompanied and unobserved activities with persons less than 18 years of age, wherever possible.
 11. Refrain from any form of abuse towards others.
 12. Refrain from any form of harassment towards, or discrimination of, others.
 13. Provide a safe environment for the conduct of the activity.
 14. Show concern and caution towards others who may be sick or injured.
 15. Be a positive role model.
-

ATTACHMENT B2 COACH CODE OF CONDUCT

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the WAI., a Member State or a State Affiliate and in your role as a coach of the WAI., a Member State or a State Affiliate:

1. Treat all participants with respect at all times. Be honest and consistent with them. Honour all promises and commitments, both verbal and written.
2. Provide feedback to participants in a caring sensitive manner to their needs. Avoid overly negative feedback.
3. Recognise participants' rights to consult with other coaches and advisers. Cooperate fully with other specialists.
4. Treat all participants fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour,

sexual orientation, religion, political beliefs, socio-economic status and other conditions.

5. Encourage and facilitate participants independence and responsibilities for their own behavior, performance and decision and actions.
6. Involve the participants in decisions that affect them.
7. Determine, in consultation with participants and others, what information is confidential and respect that confidentiality.
8. Encourage a climate of mutual support among your participants.
9. Encourage participants to respect one another and to expect respect for their worth as individuals regardless of their level of play.
10. At all times use appropriate training methods that in the long term will benefit the participants and avoid those which could be harmful.
11. Ensure that the tasks/training set are suitable for age, experience, ability and physical and psychological conditions of the participants.
12. Be acutely aware of the power that you as a coach develop with your participants on the coaching relationship and avoid any sexual intimacy with participants that could develop as a result.
13. Avoid situations with your participants that could be construed as compromising.
14. Actively discourage the use of performance enhancing drugs, the use of alcohol and tobacco and illegal substance.
15. Respect the fact that your goal as a coach for the participant may not always be the same as that of the participant. Aim for excellence based upon realistic goals and due consideration for the participant's growth and development.
16. Recognise individual differences in participants and always think of the participant's long-term best interests.
17. Set challenges for each participant which are both achievable and motivating.
18. At all times act as a role model that promotes the positive aspects of sport and of wrestling by maintaining the highest standards of personal conduct and projecting a favourable image of the sport of wrestling and of coaching at all times.
19. Do not exploit any coaching relationship to further personal, political, or business interests at the expense of the best interest of your participants.
20. Encourage participants and coaches to develop and maintain integrity in their relationship with others.
21. Respect other coaches and always act in a manner characterised by courtesy and good faith.
22. When asked to coach participants, ensure that any previous coach-participant relationship has been ended by the participant-others in a professional manner.
23. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules.
24. Know and abide by the WAI. rules, policies and standards, and encourage participants to do likewise. Accept both the letter and the spirit of the rules.
25. Be honest and ensure that qualifications are not misrepresented.

26. Be open to other people's opinion and willingness to continually learn and develop.

ATTACHMENT B3 PARTICIPANT'S CODE OF CONDUCT

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the WAI., a Member State or a State Affiliate and in your role as participants of the WAI., a Member State or a State Affiliate:

1. Respect the rights, dignity and worth of fellow participants, coaches, officials and spectators.
 2. Refrain from conduct that could be regarded as sexual or other harassment towards fellow participants and coaches.
 3. Respect the talent, potential and development of fellow team members and competitors.
 4. Care and respect the equipment provided to you as part of your program.
 5. Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
 6. Conduct yourself in a professional manner relating to language, temper and punctuality.
 7. Maintain high personal behaviour standards at all times.
 8. Abide by the rules and respect the decision of the adjudicator.
 9. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
 10. Cooperate with coaches and staff in development of programs to adequately prepare you.
-

ATTACHMENT B4 OFFICIALS CODE OF CONDUCT

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the WAI., a Member State or a State Affiliate and in your role as an official appointed by the WAI., a Member State or a State Affiliate:

1. Place the safety and welfare of the participants/participants above all else.
 2. Accept responsibility for all actions taken.
 3. Be impartial.
 4. Avoid any situation that may lead to a conflict of interest.
 5. Be courteous, respectful and open to discussion and interaction.
 6. Value the individual in sport.
 7. Encourage inclusivity and access to all areas of officiating, eg, do not allow small children inside the area of officiating.
-

ATTACHMENT B5 CODE OF CONDUCT FOR ATHLETES, COACHES & OFFICIALS REPRESENTING AUSTRALIA

As a member of a team representing your country at any international event you are required to abide by the conditions of this Code of Conduct.

Be aware that even if you are a member of Olympic Teams or Commonwealth Teams that require you to sign their own Code of Conduct you are still required to abide by the conditions of this Code of Conduct.

1. Respect the rights, dignity and worth of all others at all times.
2. Refrain from conduct that could be regarded as sexual, discriminatory or harassment towards other athletes, coaches, officials or others at all times.
3. Conduct yourself in a professional manner relating to language, temper and punctuality
4. Respect all team members regardless of gender or disability.
5. Abide by competition and village rules at all times and respect the decision of team management and officials.
6. Remember that when you represent Australia you are representing Australia to the rest of the World.

SPECIFIC RULES TO ABIDE BY:

1. Do not participate in any behaviour that will embarrass yourself, your team or your country.
2. As a member of a travelling team you will NOT be allowed to drink alcohol from the place of departure from Australia until you return to your home State.

I have read and understand the conditions of this code of conduct, and agree to behave in such a manner as to not break this code of conduct.

Signed:Parent Signed.....

Date:

Parent or Guardian to counter sign if athlete under 18yrs of age

ATTACHMENT B6 PARENT/GUARDIAN CODE OF CONDUCT

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the WAI., a Member State or a State Affiliate and in your role as a parent/guardian of participants of the WAI., a Member State or a State Affiliate:

1. Treat your child the same irrespective of them winning or losing.

2. Remember that your child participates in the sport of wrestling for their enjoyment not yours.
3. Try to have fun when you are around your children at competitions. Well-directed humour can be a great de-stressor.
4. Look relaxed, calm and positive on the sidelines.
5. Make friends with other parents at competitions.
6. Get involved in appropriate ways if your child or the coach behaves in unacceptable ways during competitions.
7. Let the coach do the coaching.
8. Understand that children will benefit from a break sometimes that that involvements in other sports is okay.
9. Be there when your child performs poorly, be an understanding listener rather than a critic, judge and/or fixer.
10. Be prepared to give your child some space so that he/she can grow and develop as an independent person.
11. Let your child know that your love for them is not associated with their sporting performance.
12. Communicate with your child and ask them how they are really feeling about their sport and about competing in particular.
13. Occasionally let your child compete without you being there and hovering over them.
14. Emphasize the good things that your child did in preparing for and during the competition.
15. Let the coach do the coaching.
15. Try to avoid:
 - Saying “Were competing today”. Instead say “You’re competing today”. Give your child credit for accepting the responsibility of performing.
 - Living through your children’s performance
 - Turning away when your child performs
 - Turning away when your children’s performance in unsportsmanlike
 - Telling your child what he/she did wrong in a competition.
 - Making enemies with your friends opponents of family during competition.
 - Making your child feel guilty by reminding them about all the time, money and sacrifice you are making for his or her sport.
 - Thinking of your children’s sporting performance as an investment for which you expect a return.
 - Badgering, harassing or using sarcasm to motivate your child.
 - Comparing your children’s performance with those of other children.
 - Forcing your children to go to training.

Attachment B7:
Directors Code of Conduct

- I.....
1. Acknowledge my fiduciary duty (duty of trust and loyalty) to Wrestling Australia represented by its members as a whole, its stakeholders and creditors of Wrestling Australia and employees;
 2. Acknowledge my duty to act in good faith and in the best interest of the Wrestling Australia
 3. Acknowledge my duty to act with care and diligence;
 4. Undertake to disclose all perceived, possible and actual, Conflicts of Interest and submit myself to the directions of the President in dealings with such Conflicts of Interest. Matters of Conflict of Interest or potential Conflict of Interest involving the President shall be referred to the Board of Directors;
 5. Undertake to study and understand all financial reports of the Wrestling Australia and accept that ignorance is no excuse in relation to responsibility for the financial standing of Wrestling Australia;
 6. Will endeavour to attend all meetings as scheduled or called by the President subject to constraints imposed by my other commitments;
 7. Will prepare myself fully for each and every meeting by studying the papers distributed and asking questions of others, as necessary, so that the process of the Board Meeting is one of taking resolutions after limited discussion, not one of research and investigation;
 8. Will commit myself to serve on committees and discharge duties in a timely and efficient manner;
 9. Will not deal solely with any operational activity and acknowledge that, in all cases, the conduct and output of operational activities of Wrestling Australia will be through the appointed Board member;
 10. Will, in dealings with each and every Board member, treat them courteously and offer help and constructive comment within my areas of knowledge;
 11. Will, at all times, consider myself an Ambassador of Wrestling Australia and conduct myself so as never to bring disgrace to or cause adverse comment to be directed at Wrestling Australia;
 12. Will uphold confidentiality of discussions at Board meetings;
 13. Will support all Board decisions, regardless of my own personal view;
 14. Will uphold and comply with policies of Wrestling Australia and; I, being a member of the Board of Wrestling Australia confirm that I have read and understood the above points together with the Essence of Australian Sport Code of Behaviour (Australian Sports Commission) and hereby undertake to Wrestling Australia and my fellow Board Members that I will discharge my responsibilities as a Board Member in accordance with this Code of Conduct

Board Member Signature:

Date:

ATTACHMENT B8

Communication Policy Statement

The Board of Wrestling Australia is committed to communicating with its stakeholders in a prompt and efficient manner.
We aim to do this by using the following methods:

- Emails to State contact personnel, usually the elected secretary.
- Posting information that is not personal or private on the website.
- Responding to emails of enquiry or complaint as soon as is practicable.
- Addressing issues at Board level at next Board meeting and then replying by email in the first instance to these.
- Answering phone calls and text messages as soon as possible.
- Ensuring contact will not be made through social media concerning selection of athletes either sponsored or self funded by any Board member.

Please note this Policy Statement is binding on all Board members; that is:

President
Vice President
Secretary
Assistant Secretary
Treasurer
Financial Officer
General Director.

Any members of the HP Committee including the HP Manager and National coaches are not Board members and as such if they act outside of these guidelines it does not mean they are acting with Board approval and the Board would like to be advised of this through admin@wrestling.com.au or WAI@wrestling.com.au

ATTACHMENT B9

Selection Process Policy

SELECTION PROCESS POLICY

INTRODUCTION

It is the aim of this policy to clearly communicate to all states, athletes, coaches and officials the process for selection to attend overseas events or competitions. The process will have three main streams:

Athletes
Coaches
Officials/Referees

PROCESS:

ATHLETES

International events such as Oceania, World Titles and any other international competition:

- A selection competition will be announced after the HP Committee has discussed it and made recommendation to the Board who will either uphold it or have further discussions with the HP Committee before announcing.
- The aim will be to identify this during the calendar year prior, as part of the HP Plan, however, there are often opportunities for international competition that come available at short notice and also date changes and event cancellations. In which case the Board will aim to give a minimum of 6 weeks notice of any changes when possible.

- A first place at any trial will not necessarily mean automatic selection. Selection will depend on a number of facts not just the following:
 - Whether the athlete was unopposed or quality of opposition
 - Difficulty or standard of event to be selected for
 - Number of and gender of athletes WAI is able to select based on budget restraints
- If there is an option for self-funding to an event an Expression of Interest will always be sent out via email to all State Secretaries to forward to the clubs/coaches for recommendations. WAI will always reserve the right to not accept a self-funding application based on such points as and not restricted to duty of care to protect our athletes, debt owing to WAI, response was not received within the timeframe, recommendations from the HP committee.

Any complaints regarding lack of selection must be put in writing, addressed to the Board and sent to the Secretary of Wrestling Australia either by mail to PO Box 833, Wahroonga NSW, 2077 or by email to either admin@wrestling.com.au or WAI@wrestling.com.au Phone calls of complaint will not be considered as a legitimate complaint and no formal explanation will be given either by phone or text. The Board will advise the athlete that they have received the complaint and will advise accordingly after considering the complaint. Once the athlete receives the explanation, the Board will no longer discuss it and the athlete may go through the appeals process set out in the Member Protection Policy if they wish.

NOMINATION TO AOC OR ACGA TEAMS

- Nominations to both of these teams are based on a written nomination for selection criteria which is written and approved by either body prior to any qualifying process and these documents will be communicated to the athletes via the State bodies in the first instance and then they will be posted on the website.
- The HP committee will have major input into deciding the compulsory competitions, camps etc to attend prior to the final selection trials and these will be listed in the published nomination for selection documents and the HP Plan.
- The individual criteria document will indicate whether there is a process of appeal through that documentation.

COACHES

- Selection of the coaching staff to attend international events will be based on the following:
 - The availability of the National Coaches and assistants
 - The number of athletes who are already training with any of the National Coaches
 - The number of male wrestlers and female wrestlers selected
 - The possibility that one competition may clash with another.
 - The number of coaches needed.
 - The Board will make the final decision based on the above and any other relevant factors at the time.

REFEREES/OFFICIALS

The Board of WAI commits to supporting our referees to attend enough overseas events as to maintain their levels or increase as may be the case.

Expressions of Interest will be called for whenever WAI must send a referee and each decision will be made based on:

- Number that can be sent under budget restraints.
- Level of competition so therefore the official most needing to attend that level
- Individual's current commitment to wrestling in Australia both in time spent refereeing and mentoring new referees etc.
- Ability for individual to partly self-fund or obtain a grant or assistance from state or club.
- Reports and follow up that the individual provides to WAI and other referees.
- Feedback received from UWW refereeing officials as to the performance of the individuals and their recommendations.

Attachment B10: Transgender Participation Policy

Wrestling Australia (WAI) believes in the rights of transgender people to take part in and achieve their potential in the sport of Wrestling. This policy has been adopted to clarify the rules that relate to the participation of Transgender people in Wrestling and to create a clear framework for participating in WAI sanctioned event. This policy is based on the United World Wrestling (UWW) Transgender Policy.

1. Application

1. The term "Transgender" is used in this policy to refer to individuals whose gender identity (i.e. how they identify) is different from the biological sex assigned to them at birth (whether they are pre or post-puberty, and whether or not they have undergone any form of medical or surgical intervention).
2. This policy applies to all officially sanctioned WAI events, this includes but is not limited to competitions within state associations, national events, beach wrestling and training camps.
3. This policy establishes the conditions enabling transgender wrestlers to participate in WAI sanctioned events in the style that is consistent with their gender identity.
4. In the event that an issue arises, which was not foreseen in this policy it will be dealt with in a manner that protects and supports the imperatives of the policy.
5. All cases under this policy, and in particular all wrestler's information provided to WAI under this policy, and all results of examinations and assessments conducted under this policy, will be dealt with in strict confidence at all times. All medical information and data relating to a wrestler will be treated as sensitive personal information and WAI will ensure at all times that it is processed as such in accordance with applicable data protection and privacy laws. Such information will not be used for any purpose not contemplated in this policy, and will not be disclosed to any third party except (a) as is strictly necessary for the effective application and enforcement of this policy; (b) as is required by law or (c) an official request of the

Australian Sports Anti-doping Authority (ASADA) or World Anti-Doping Agency (WADA).

2. ELIGIBILITY CRITERIA

Eligible conditions for male-to-female Transgender wrestler

2.1 To be eligible to participate in WAI sanctioned events in the Women's Wrestling (WW) style Competition, a male-to-female transgender wrestler must satisfy the following requirements:

- (a) she must provide a written and signed declaration, in a form satisfactory to WAI, that her gender identity is female; and
- (b) she must demonstrate to the satisfaction of WAI that the concentration of testosterone in her serum has been less than 10 nmol/L continuously for a period of at least 12 months (with the requirement for any longer period to be based on a confidential case-by-case evaluation, considering whether or not 12 months is a sufficient length of time to minimize any advantage in women wrestling competition), and that she is ready, willing and able to continue to keep it below that level for as long as she continues to compete in the women's wrestling style.

2.2 If WAI determines that the above eligibility conditions have been met, WAI will issue a written certification of that wrestler eligibility to compete in WAI WW competitions. That eligibility will be subject, in every case, to the wrestler's consistent compliance with and continuing fulfillment of the above eligibility conditions, including (without limitation) to continuously maintaining the serum testosterone at a concentration of less than 10 nmol/L.

2.3 To avoid discrimination, if an athlete is deemed ineligible for WAI WW competition, the wrestler should be eligible to compete in WAI Men's Greco-Roman (GR) and Freestyle (FS) competitions.

Eligibility conditions for female-to-male Transgender wrestler

2.4 To be eligible to participate in WAI Men's GR and FS competitions, a female-to-male transgender wrestler must provide a written and signed declaration, in a form satisfactory to WAI, that his gender identity is male. As soon as it is reasonably practicable, following receipt of such declaration, WAI will issue a written certification of that wrestler's eligibility to compete in WAI GR and FS competitions. In order to avoid ambiguity, a female-to-male transgender wrestler will not be eligible to participate in WAI WW Competitions once they have commenced hormone treatment.

Conditions applicable to all Transgender wrestlers

2.5 Once a transgender wrestler has satisfied the eligibility requirements and has started participating in WAI Competitions in the wrestling style consistent with his/her gender identity, he/she may not then switch back to participating in the other gender category in WAI competitions unless and until (a) at least four years have passed since the first WAI competitions in which he/she participated as a transgender wrestler; and (b) he/she satisfies all of the conditions for eligibility to compete in the other style/s.

2.6 It should be clear that, the eligibility condition for a transgender wrestler specified in this policy, operate without prejudice to all other eligibility requirements that are applicable to all wrestlers (transgender or otherwise) under the rules of WAI, which must also be satisfied, at all relevant times. In particular, nothing in this policy is intended to undermine or affect, in any way, any of the requirements of the World

Anti-Doping Code (of the WADA International Standards) including the International Standards for Therapeutic Use Exemptions), or of the WAI Anti-Doping Program. Nothing in this policy will be deemed to permit, excuse or justify non-compliance with any of those requirements, including (without limitation) any requirement for a wrestler to obtain a Therapeutic Use Exemption (TUE) for the use of the prohibited substance, such as testosterone.

2.7 Transgender wrestles may be granted a TUE only after their eligibility and gender has been established and confirmed by WAI.

3. MONITORING/INVESTIGATING COMPLIANCE

1. WAI may review or monitor any wrestlers compliance with the transgender eligibility conditions at any time, with or without notice, whether by random or targeted testing of the wrestlers serum testosterone levels (and the wrestler agrees to provide serum samples for this purpose, and also agrees that any samples provided for anti-doping purposes and/or any anti-doping data relating to him/her may also be used for this purpose), or by any other appropriate means.

3.2 In addition, WAI may investigate, at any time:

- (a) whether a wrestler who has not filed a declaration under this policy is a transgender wrestler who needs to establish his/her eligibility to compete in a particular wrestling style in accordance with this policy;
- (b) whether (because of a subsequent change in circumstances, subsequent learning or experience, or otherwise) it is necessary to require a transgender wrestler who has previously been determined to satisfy the transgender eligibility conditions to undergo further assessment by WAI to determine whether he/she still satisfies those conditions; and or
- (c) any circumstances indicating potential non-compliance with this policy; and in such cases the wrestler in questions must cooperate fully and in good faith with this investigation, including (without limitation) by providing serum samples upon request.

3.3 To avoid abuse, only WAI may initiate an investigation under paragraph 3.2, and WAI should only do so in good faith and on reasonable grounds, based upon information derives from reliable sources, such as (for example) the affected wrestler him/herself. Results from a routine pre-participation health examination, or data as to serum testosterone levels and/or data obtained from analysis of samples collected from anti-doping purposes.

3.4 The dignity of every individual must be respected. All forms of abuse and/or harassment are expressly prohibited. In particular (but without limitation):

- a) Any person or entity (including, without limitation, any other wrestler or official) that provides information to WAI for consideration under this policy is under strict obligation (i) to ensure that the information is accurate and complete; and (ii) not to provide any information in bad faith, to harass, stigmatize or otherwise injure a wrestler or for any other improper purpose.
- (b) No stigmatization or improper discrimination on the grounds of gender identity will be tolerated. In particular (but without limitation), persecution or campaigns against wrestlers, simply on the basis that their appearance does not conform to gender stereotypes, are not acceptable. Any such conduct will be considered a serious breach of this policy, which is, without prejudice, subject to any action WAI may take under any applicable WAI Codes of Conduct.

3.5 Where WAI determines that a male-to-female transgender wrestler who has previously been declared to compete in the women's wrestling style in WAI competitions has failed to maintain her serum testosterone level at a concentration of

less than 10 nmol/L, she may not compete in the women’s wrestling style in WAI competitions until such time as she demonstrates, to the satisfaction of WAI, that she has maintained her serum testosterone below 10 nmol/L for a new continuous period of at least 12 months.

This document is subject to review at any time.

Any questions in relation to this document should be directed towards

mpio@wrestling.com.au

PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

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

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

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

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

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

ATTACHMENTS

- Attachment C1: Member Protection Declaration
- Attachment C2: Working with Children Check requirements.

Attachment C1: MEMBER PROTECTION DECLARATION

WAI has a duty of care to all those associated with our organisation and to the individuals and organisations to whom this policy applies. It is a requirement of our National Member Protection Policy that we check the background of each person who works, coaches or has regular unsupervised contact with children and young people under the age of 18 years.

I(name) of

.....(address) born/...../..... sincerely
declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence, or any other crimes.
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 or any other crimes.
4. I am not currently serving a sanction for an anti-doping rule violation under an Australian Sports Anti-Doping Authority (ASADA) approved anti-doping policy applicable to me.
5. I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA approved anti-doping policy applicable to me.
6. To my knowledge, there is no other matter that WAI may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the WAI Secretary of the organisation/s engaging me immediately upon becoming aware that any matter set out above has changed.

Declared in the state/territory of on
...../...../.....(date)

Signature

Consent of parent/guardian (on behalf of a person under the age of 18 years)

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

Name:

Signature:

Date:

**Attachment C2:
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. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: www.playbytherules.net

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

Contact Access Canberra

Website:

https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/1804/~/-/working-with-vulnerable-people-%28wwvp%29-registration

Phone: 13 22 81

New South Wales

Contact the Office of the Children's Guardian

Website: www.kidsguardian.nsw.gov.au

Phone: 02 9286 72719

Northern Territory

Contact the Safe NT

Website: <http://www.pfes.nt.gov.au/Police/Community-safety/SAFE-NT.aspx>

Phone: 1800 723 368

Queensland

Contact the Queensland Government Blue Card Services

Website: www.bluecard.qld.gov.au

Phone: 1800 113 611

South Australia

Contact the Department of Human Services

Website: <https://screening.dcsi.sa.gov.au>

Phone: 1300 321 592

National Police Check: www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check

Tasmania

Contact the Department of Justice

Website: www.justice.tas.gov.au/working_with_children

Phone: 1300 13 55 13

Victoria

Contact the Department of Justice

Website: www.workingwithchildren.vic.gov.au

Phone: 1300 652 879

Western Australia

Department of Communities – Child Protection and Family Support

Website: www.workingwithchildren.wa.gov.au

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.

PART D: COMPLAINT HANDLING PROCEDURES

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

WAI will endeavour to deal with complaints on a confidential basis. We will not provide information about the complaint to another person without the complainant's consent, except if the law requires us disclose this information or it is necessary to properly deal with the complaint. To ensure fairness for everyone involved, we will provide the full details of the complaint to the person or people against whom the complaint has been made and ask for their response. As a result, it may be difficult for us to resolve complaints made anonymously.

We will provide **informal and formal procedures** to deal with complaints. Individuals and organisations can also make **complaints to external organisations** under anti-discrimination, child protection and other relevant laws.

ATTACHMENTS

- Attachment D1: Complaints procedure
- Attachment D2. Mediation
- Attachment D3. Investigation procedure
- Attachment D4. Tribunal procedure

Attachment D1: Complaints procedure

WAI is committed to supporting people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way.

WAI will endeavour to deal with complaints on a confidential basis. WAI will not provide information about the complaint to another person without the complainant's consent, except if the law requires us to disclose this information or it is necessary to properly deal with the complaint. To ensure fairness for everyone involved, we will provide the full details of the complaint to the person or people against whom the complaint has been made and ask for their response. As a result, it may be difficult for us to resolve complaints made anonymously.

We will provide **informal and formal procedures** to deal with complaints. Individuals and organisations can also make **complaints to external organisations** under anti-discrimination, child protection and other relevant laws.

Informal approaches

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 directly.

Step 2: Contact a Member Protection Information Officer

We encourage you to talk with one of our Member Protection Information Officers (MPIOs) if:

- step 1 (above) is not appropriate;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially with someone and find out what options are available to address your concern; or
- the concern continues after you approached the other person.

The names and contact details for our MPIOs are available at www.westling.com.au.

The MPIO will:

- ask how you would like your concern to be resolved and if you need support
- seek to provide different options for you to address your concern
- act as a support person, if you wish
- refer you to an appropriate person (e.g. a mediator) to help you address your concern, if appropriate
- inform the relevant government authorities and/or police, if required by law to do so where possible and appropriate, maintain confidentiality.

Step 3: Decide how to address your concern

After talking with the MPIO you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;
- to try and resolve the problem yourself, with or without a support person;
- to resolve the problem with the help of someone impartial, such as a mediator; or
- to resolve the matter through a formal process.

Formal approaches

Step 4: Making a formal complaint

If it is not possible or appropriate to resolve your complaint through an informal process, you may:

- make a formal complaint in writing to the WAI Complaint Manager or
- approach a relevant external agency, such as an anti-discrimination or equal opportunity commission, for advice and assistance.

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

- he or she is the most appropriate person to receive and handle the complaint;
- the nature and seriousness of the complaint requires a formal resolution procedure;
- to refer the complaint to **mediation**;
- to appoint a person to **investigate** the complaint;
- to refer the complaint to a **tribunal hearing**;
- 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 Complaint Manager will take into account:

- whether he or she has had 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, regarding how the complaint should be handled;
- the relationship between you and the respondent (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.

If the Complaint Manager is the appropriate person to handle the complaint, he or she will, where appropriate and/or necessary:

- provide the information received from you to the other person(s) involved and ask for a response;
- decide if there is enough information to determine whether the matter alleged in your complaint did or did not occur; and/or
- determine what, if any, further action to take, including referring the matter for investigation or disciplinary action in accordance with this policy.

Step 5: Investigating the complaint

In some cases, an investigation may be required to determine the facts surrounding the complaint. Our investigations procedure is outlined in Attachment D3.

Following the investigation, a written report will be provided to the WAI Board.

- If the complaint is referred to **mediation**, we will follow the steps outlined in Attachment D2 or as agreed by you, the respondent and the mediator.
- If the complaint is referred to a **tribunal hearing**, the hearing will be conducted according to the steps outlined in Attachment D4.
- If the complaint is referred to the **police or another external agency**, we will endeavor to provide all reasonable assistance required by the police or the agency.

Any costs relating to the complaint process set out in the Policy (e.g. investigation and/or mediation and/or hearing tribunal) are to met by the organization and/or individual unless otherwise stated in the relevant Attachment.

Step 6: Reconsidering a complaint or appealing a decision

If the matter is referred to mediation and is not resolved at mediation, you may request that the WAI Board reconsider the complaint in accordance with Step 3.

In accordance with WAI rules you or the respondent(s) may also appeal a decision made at a tribunal hearing. The grounds and process for appeals are set out in Attachment D4.

Step 7: Documenting the resolution

The MPIO/Complaint Manager will record the complaint, the steps taken to resolve it and the outcome. This information will be stored in a confidential and secure place. If the complaint was dealt with at the state/district level, the information will be stored by the state association. If the matter is of a serious nature, or if it was dealt with at the national level, the information will be stored by WAI and a copy stored by the state association.

Approaching external organisations

If you feel that you have been harassed or discriminated against, you can seek advice from your state or territory anti-discrimination or equal opportunity commission. There is no obligation to make a formal complaint. However, if the commission advises you that the issues appear to be within its jurisdiction, you may choose to lodge a formal complaint with the commission.

The commission may investigate your complaint. The commission may also attempt to conciliate the complaint on a confidential basis. If this fails, or if it is not appropriate, the complaint may go to a formal hearing. The tribunal will make a finding and decide what action, if any, will be taken.

If you do lodge a complaint under anti-discrimination law, you may use an appropriate person (e.g. an MPIO) as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

Contact details for the state and territory anti-discrimination and equal opportunity commissions are available on the Play by the Rules website: <http://www.playbytherules.net.au/resources/quickreference-guide>.

Serious incidents, such as assault or sexual assault, should be reported to the police.

Attachment D2: Medication

Mediation is a process that seeks to resolve complaints with the assistance of an impartial person – the mediator.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to discuss the issues and seeks to facilitate a mutually agreeable solution.

Our approach to mediation follows the steps set out below.

1. WAI will appoint an appropriate mediator to help resolve the complaint. This will be done under the direction of WAI and in consultation with the

- complainant and the respondent(s). The mediator will be an independent person in the context of the complaint, however this does not preclude a person with an association with WAI acting as mediator.
2. The mediator will talk with the complainant and respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
 3. All issues raised during mediation will be treated confidentially. We also respect the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
 4. If the complaint is resolved by mediation, where appropriate the mediator may seek to ensure the parties execute a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect and comply with the terms of the agreement.
 5. If the complaint is not resolved by mediation, the complainant may:
 - write to the WAI Secretary to request that WAI reconsider the complaint; and
 - approach any relevant external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

We recognise that there are some **situations where mediation may not be appropriate**, including:

- when the people involved have completely different versions of the incident;
- when one or both parties are unwilling to attempt mediation;
- when there is a real or perceived power imbalance between the people involved;
- matters that involve serious allegations

Attachment D3: Investigation Procedure

There will be times when a complaint will need to be investigated and information gathered.

An investigation helps determine the facts relating to the incident, if requested, recommendations as to possible findings and next steps.

Any investigation we conduct will be fair to all people involved. The investigation process will be undertaken by an unbiased person.

If we decide that a complaint should be investigated, we will follow the steps outlined below.

1. We will provide a written brief to the investigator that sets out the terms of engagement and his or her roles and responsibilities.
2. The investigator may:
 - 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 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 the WAI Board documenting the complaint, the investigation process, the evidence, and, if requested, any findings and recommendations.
3. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarizing key points from the investigation.
4. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person or adviser (MPIO).

Attachment D4: Tribunal Procedure

WAI will follow the steps set out below to hear formal complaints made under our Member Protection Policy.

Preparing for a Tribunal hearing

1. A Tribunal panel will be established, according to the rules set out in our constituent documents, rules and by-laws, to hear a complaint that has been referred to it by the WAI Complaint Manager.
2. The number of Tribunal panel members required to be present throughout the hearing will be a minimum of three.
3. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by WAI Secretary 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 WAI Secretary will inform the respondent(s) 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 practice as a lawyer or worked as a trainee lawyer.
 - A copy of any investigation report findings will be provided to the respondent(s).
6. The WAI Secretary will notify the complainant 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 support their complaint;
 - the details of the complaint, including any relevant rules or regulations the respondent is accused of breaching;
 - 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 complainant's position;
 - 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 practice as a lawyer or worked as a trainee lawyer.
- A copy of the investigation report findings will be provided to the complainant.
7. If the complainant believes the details of the complaint are incorrect or insufficient, he or she should inform the WAI Secretary as soon as possible so that the respondent(s) and members of the Tribunal panel can be properly informed of the complaint.
8. If possible, the Tribunal panel should include at least one person with knowledge or experience of the relevant laws/rules (e.g. anti-discrimination).

Tribunal hearing procedure

9. 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;
 - any parent/guardian or support person required to support the respondent or the complainant.
10. 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.
11. 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.
 12. If the Tribunal chairperson wishes to reschedule the Tribunal hearing date, the Tribunal chairperson will inform the WAI Secretary of the need to reschedule the hearing and the WAI Secretary will arrange for the Tribunal to be reconvened.
 13. 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.
 14. 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.
 15. 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.
 16. 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.
 17. 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.
 18. The Tribunal may:
 - consider any evidence, and in any form, that it deems relevant;
 - ask questions of any person giving evidence;
 - limit the number of witnesses (including limiting witnesses to those persons who only provide new 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.
 19. Video evidence, if available, may be presented. Arrangements for the viewing of this evidence must be made entirely by the person(s) wishing to offer this type of evidence.
 20. If the Tribunal panel considers that at any time during the hearing there is any unreasonable or intimidating behaviour from anyone, the Tribunal chairperson may deny further involvement of that person in the hearing.
 21. 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.
 22. All Tribunal decisions will be by majority vote.
 23. 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.
24. The respondent(s) will have the opportunity to make submissions to the Tribunal in relation to any sanctions that may be imposed.
 25. Within 48 hours of the Tribunal delivering its decision, the Tribunal chairperson will:
 - forward a notice of the Tribunal’s decision to the WAI Secretary, 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.
 26. The Tribunal does not need to provide written reasons for its decision.

Appeals procedure

27. A complainant or a respondent(s) may lodge with WAI an appeal in relation to the decision of a Tribunal on one or more of the following grounds:
 - 27.1 that a denial of procedural fairness has occurred;
 - 27.2 that the sanction imposed is unjust and/or unreasonable;
 - 27.3 that the decision was not supported by the information/evidence provided at the mediation or to the Tribunal Hearing;
28. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the WAI Secretary within fourteen (14) days and no later than twenty eight (28) days of the decision being made. An appeal fee of \$110 shall be included with the letter of intention to appeal.
29. If the letter of appeal is not received by the WAI Secretary within this time, the right of appeal will lapse. If the letter of appeal is received but the appeal fee is not received within this time, the appeal will also lapse.
30. The letter of appeal and the notice of the Tribunal’s decision (clause 24) will be forwarded to the WAI Complaint Manager to review and to decide whether there are sufficient grounds for the appeal to proceed. The Complaint Manager may invite any witnesses to the meeting that he or she believes are required to make an informed decision.
31. If the appellant has not shown sufficient grounds for an appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision. The appeal fee will be forfeited.
32. If the appeal is accepted, an Appeal Tribunal with new panel members will be convened to rehear the complaint, and the appeal fee will be refunded.
33. The Tribunal hearing procedure shall be followed for the Appeal Tribunal.
34. The decision of the Appeal Tribunal will be final and binding.

PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

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

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

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

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

ATTACHMENTS

- Attachment E1: Record of informal complaint
- Attachment E2: Record of formal complaint
- Attachment E3: Handling an allegation of child abuse
- Attachment E4: Confidential record of child abuse allegation

**Attachment E1:
RECORD OF INFORMAL COMPLAINT**

Name of person receiving complaint		Date: / /
Complainant's Name	<input type="checkbox"/> Over 18	<input type="checkbox"/> Under 18
Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support <input type="checkbox"/> Other
When/where did the incident take place?		
What are the facts relating to the incident, as stated by complainant?		
What is the nature of the complaint? (category/basis/grounds) Tick more than one box if necessary	<input type="checkbox"/> Harassment or <input type="checkbox"/> Sexual/sexist Coaching methods <input type="checkbox"/> Sexuality abuse <input type="checkbox"/> Race Physical abuse <input type="checkbox"/> Religion Victimisation <input type="checkbox"/> Pregnancy decision <input type="checkbox"/> Other	<input type="checkbox"/> Discrimination <input type="checkbox"/> Selection dispute <input type="checkbox"/> Personality clash <input type="checkbox"/> Bullying <input type="checkbox"/> Disability <input type="checkbox"/> Child Abuse <input type="checkbox"/> Verbal <input type="checkbox"/> <input type="checkbox"/> Unfair
What does the complainant want to happen to resolve the issue?		

What other information has the complainant provided?	
What is the complainant going to do now?	

This record and any notes must be kept confidential and secure. If the issue becomes a formal complaint, this record is to be given to the MPIO and the Complaint Manager.

Methods (if any) of attempted informal resolution	
Formal resolution procedures followed (outline)	
If investigated:	Finding
If heard by Tribunal:	Decision Action recommended
If mediated:	Date of mediation: Both/all parties present Agreement Any other action taken
If decision was appealed	Decision Action recommended
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> 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. If the complaint is of a serious nature, or if it is taken to and/or dealt with at the national level, the original record must be provided to WAI and a copy kept with the organisation where the complaint was first made.

Attachment E3: 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

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

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

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 Secretary of WAI so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

- The WAI Complaint Manager 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 WAI.
- The WAI Complaint Manager will consider what services may be most appropriate to support the child and his or her parent/s.
- The WAI Complaint Manager will consider what support services may be appropriate for the alleged offender.
- The WAI Complaint Manager 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 WAI).
- WAI 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, WAI will follow the procedures set out in Clause 9 of our Member Protection Policy.
- Where required WAI will provide the relevant government agency with a report of any disciplinary action that have been taken.
- **Contact details for advice or to report an allegation of child abuse**

Australian Capital Territory	
ACT Police Non-urgent police assistance Ph: 131 444 www.afp.gov.au	Office for Children, Youth and Family Services http://www.communityservices.act.gov.au/ocyfs/reporting-child-abuse-and-neglect Ph: 1300 556 729

New South Wales	
New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au	Department of Family and Community Services www.community.nsw.gov.au Ph: 132 111
Northern Territory	
Northern Territory Police Non-urgent police assistance Ph: 131 444 www.pfes.nt.gov.au	Department of Children and Families www.childrenandfamilies.nt.gov.au Ph: 1800 700 250
Queensland	
Queensland Police Non-urgent police assistance Ph: 131 444 www.police.qld.gov.au	Department of Communities, Child Safety and Disability Services www.communities.qld.gov.au/childsafety Ph: 1800 811 810
South Australia	
South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au	Department for Education and Child Development www.families.sa.gov.au/childsafe Ph: 131 478
Tasmania	
Tasmania Police Non-urgent police assistance Ph: 131 444 www.police.tas.gov.au	Department of Health and Human Services www.dhhs.tas.gov.au/children Ph: 1300 737 639
Victoria	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 www.police.vic.gov.au	Department of Human Services www.dhs.vic.gov.au Ph: 131 278
Western Australia	
Western Australia Police Non-urgent police assistance Ph: 131 444 www.police.wa.gov.au	Department for Child Protection and Family Support www.dcp.wa.gov.au Ph: (08) 9222 2555 or 1800 622 258

Government agency contacted	Who: When: Advice provided:
President and/or MPIO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

This record and any notes must be kept in a confidential and safe place and provided to the relevant authorities (police and government) should they require them.