



Australian Football League

and

Affiliated State Body

Member Protection Policy

**VERSION 2
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AFL Policy Statement

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AFL POLICY STATEMENT

The AFL regards unlawful discrimination, sexual harassment, bullying and abuse in any form as intolerable and believes that all people have the right to work, play and socialise in an environment which is safe, inclusive and respectful.

This policy has been designed to re-enforce the values the AFL places upon creating the best environment for all people connected with Australian Football. It clearly defines expected standards of behaviour for all people associated with our game and sets out the AFL's approach to addressing inappropriate behaviour.

Any reports of inappropriate behaviour as defined in this document will be treated seriously, sympathetically and confidentially by the AFL or the Affiliated State Body and will be investigated thoroughly. The AFL or Affiliated State Body will ensure that complainants and witnesses are not victimised in any way.

Under various State and Commonwealth legislation unfair discrimination and sexual harassment is illegal. In its most serious forms harassment can be an offence under State and Federal criminal law.

This policy has been endorsed by the AFL Executive. The policy begins with effect from 1 January 2009 and will operate until replaced. This policy and/or its attachments may be amended from time to time by the AFL or a relevant Affiliated State Body.

The AFL Executive and I are committed to ensuring full compliance to ensure our game is safe and enjoyable for everyone.

Andrew Demetriou
Chief Executive Officer

PART A: MEMBER PROTECTION POLICY

1. Scope

- 1.1 The Member Protection Policy applies to the extent where possible:
- with respect to the AFL, the people within the purview of the AFL Player Rules and AFL Regulations, whether they are in a paid or unpaid/voluntary capacity; and
 - with respect to each Affiliated State Body, all people under the purview of that Affiliated State Body, whether they are in a paid or unpaid/voluntary capacity:
- including, but not limited to:
- Individuals sitting on boards, committees and sub-committees;
 - Employees and volunteers;
 - Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
 - Coaches and assistant coaches;
 - Players;
 - Umpires and other officials;
 - Members, including life members;
 - Affiliated clubs;
 - Any other person or organisation that is a member of or affiliated to the AFL or Affiliated State Body;
 - Parents, guardians, spectators and sponsors to the full extent that is possible.
- 1.2 This policy will continue to apply to a person even after they have stopped their association or employment with AFL or Affiliated State Body if disciplinary action, relating to a breach of this policy, has commenced.
- 1.3 This policy and/or its attachments may be amended from time to time by the AFL or a relevant Affiliated State Body.

2. Code of Conduct

- 2.1 The AFL requires every individual and organisation bound by this policy to:
- (a) Be ethical, fair and honest in all their dealings with other people;
 - (b) Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
 - (c) Always place the safety and welfare of children above other considerations;
 - (d) Comply with AFL's and the Affiliated State Body memorandum and articles of association, player rules, regulations and policies including this member protection policy;
 - (e) Operate within the rules and spirit of the sport;

- (f) Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
- (g) Be responsible and accountable for their conduct;
- (h) Abide by the relevant Role-Specific Codes of Conduct. *Role Specific Codes of Conduct are located on the AFL website – www.afl.com.au.*

2.2 It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have:

- (a) Done anything contrary to this policy;
- (b) Breached the Code of Conduct and Role-Specific Codes of Conduct;
- (c) Brought the sport and/or the AFL and/or the Affiliated State Body into disrepute;
- (d) Failed to follow AFL policies and procedures for the protection, safety and welfare of children;
- (e) Discriminated against or harassed any person;
- (f) Victimised another person for reporting a complaint;
- (g) Engaged in unlawful sexual activity. ;
- (h) Disclosed to any unauthorised person or organisation any AFL or Affiliated State Body information that is of a private, confidential or privileged nature;
- (i) Made a complaint they knew to be untrue, vexatious, malicious or improper;
- (j) Failed to comply with a penalty imposed after a finding that the individual or organisation has breached this policy;
- (k) Failed to comply with a direction given to the individual or organisation during the discipline process.

3. Organisational Responsibilities

3.1 The AFL requires its affiliated State Bodies to implement appropriate policies and codes of conduct and in turn those Affiliated State Bodies will request their affiliate leagues/associations and clubs to implement appropriate policies and codes of conduct.

3.2 The Affiliated State Bodies and AFL Clubs must:

- (a) Adopt, implement and comply with this policy;
- (b) Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- (c) Promote appropriate standards of conduct at all times;
- (d) Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, timely and confidential manner;
- (e) Apply this policy consistently without fear or favour;
- (f) Recognise and enforce any penalty imposed under this policy;
- (g) Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies
- (h) Appoint or have access to trained people to receive and handle complaints and allegations and display the names and contact details in a way that is readily accessible; and

- (i) Monitor and review this policy at least annually.

4. Individual Responsibilities

4.1 Individuals bound by this policy are responsible for:

- (a) Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- (b) Consenting to a national police check if the individual holds or applies for a role that involves direct and unsupervised contact with people under the age of 18 years
- (c) Co-operating in providing a sporting environment which is free from unlawful discrimination, harassment, bullying and abuse.
- (d) Complying with all other requirements of this policy;

5. Policy Statements

5.1 CHILD PROTECTION POLICY

(a) Overview

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

Child abuse is illegal in all states and territories of Australia, with each having their own child protection laws that cover the reporting and investigation of cases of child abuse.

Child abuse relates to children (a person under 18 years old) at risk of harm, usually by adults, sometimes by other children, and often by those they know and trust. It can take many forms. Children may be harmed by verbal and emotional abuse and physical actions and by people failing to provide them with basic care. Child abuse may include:

- Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity).
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).
- Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).
- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. The AFL requires that anyone who reasonably suspects that a child has been or is being abused by someone

within our sport, or by his/her parents/guardians to report it immediately to the police or relevant government agency, and the AFL or relevant Affiliated State Body. The AFL or Affiliated State Body will not attempt to investigate, mediate or conduct any hearing into any allegation of child abuse as this is the role of the police and the relevant government agency.

(b) AFL Child Protection Requirements

The AFL requires every individual and organisation bound by this policy to:

- (i) Prohibit any form of abuse against children;
- (ii) Provide education and/or information to those involved in our sport on child abuse and child protection.
- (iii) Carefully select people whose role requires them to have regular direct and unsupervised contact with children;
- (iv) Provide opportunities for our juniors to contribute to and provide feedback on our program development;
- (v) Ensure codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed
- (vi) Provide procedures for raising concerns or complaints. Where applicable meet the requirements outlined in:
 - A Attachment B1 Child Protection Requirements
 - B Attachment B2. Member Protection Declaration
 - C QLD Blue Card Requirements. Refer website www.bluecard.qld.gov.au or contact 1800 113611)
 - D NSW Child Protection Requirements. Refer to the NSW Commission for Children and Young People website: www.kids.nsw.gov.au or contact 02 9286 7219
 - E WA Child Protection Requirements. Refer to the Department of Community Development *Working with Children* Screening Unit website www.checkwwc.wa.gov.au or contact 1800 883 979.
 - F VIC Child Protection Requirements. Refer to the Department of Justice website: <http://www.justice.vic.gov.au> and follow the *Working with Children* Check link under Business Units or contact 1300 652 879.
 - G SA Child Protection Requirements. Refer to the Department of Families and Communities website www.familiesandcommunities.sa.gov.au or the South Australian Office for Recreation and Sport's website www.resport.sa.gov.au

State specific child protection requirements apply despite the existence or absence of the AFL Member Protection Policy.

5.2 ANTI DISCRIMINATION AND HARASSMENT POLICY

(a) Overview

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

Under this policy discrimination and harassment are not permitted in employment (including volunteer and unpaid employment); when providing sporting goods and services including access to sporting facilities; when providing education and accommodation; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any player or other person to any competition and the obtaining or retaining membership of clubs and organisations (including the rights and privileges of membership).

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law.

(b) Discrimination

Discrimination means treating or proposing to treat someone less favourably than someone else because of a particular characteristic in the same or similar circumstances in certain areas of public life (this is Direct Discrimination).

The law also covers Indirect Discrimination. This is imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics.

Under the relevant legislation across Australia, unless a specific exclusion applies, it is unlawful to discriminate against anyone on a variety of grounds including, but not limited to the following:

- Age;
- Disability;
- Marital status;
- Parental/carer status;
- Family/carer responsibilities;
- Gender identity/transgender status;
- Lawful sexual activity/sexual orientation;
- Irrelevant medical record;
- Irrelevant criminal record;
- Political belief/activity;
- Pregnancy and breastfeeding;
- Race;
- Religious belief/activity;
- Sex/gender;
- Social origin;
- Trade union membership/activity.
- Physical features

- Association with a person with one or more of the characteristics listed above.

Examples of Discrimination:

Breastfeeding: A member of the club who is breastfeeding her baby in the club rooms is asked to leave.

Disability: A junior player is overlooked because of his/her mild epilepsy.

Family responsibilities: A club decides not to promote an employee because he/she has a child with a disability even though the employee is the best person for the job.

Lawful sexual activity/sexual orientation: An athlete is ostracised from his/her team after he/she tells a team mate that he/she is same sex attracted.

Pregnancy: A woman is dropped from her squad when she becomes pregnant.

Race: An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his/her race.

Sex/Gender: Specialist coaching is only offered to male players in a mixed team.

(c) Harassment

Unlawful Harassment is any type of behaviour that is unwanted, unwelcome or uninvited and is offensive, intimidating and/or humiliating.

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. Harassment may be a single incident or repeated. It may be explicit or implicit, verbal or non-verbal.

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended.

Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to the complaints procedure outlined in attachment C1 in this policy.

5.3 GENDER IDENTITY POLICY

The AFL is committed to providing an inclusive sporting environment where transgender people involved in its activities are able to contribute and participate.

The AFL expects everyone who is bound by this policy to treat people who identify as transgender fairly and with dignity and respect. . The AFL will not tolerate any unlawful discrimination or harassment against a person who identifies as transgender or who is thought to be transgender For further information, contact the appropriate Anti-discrimination authority in each State or Territory.

An example of behaviour which could be regarded as discrimination or harassment on the basis of gender identity/transgender status is: A transgender contract worker is harassed when employees refuse to call her by her female name.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to the complaints procedure outlined in attachment C1 in this policy.

5.4 OTHER RELEVANT POLICIES

Other AFL policies which contribute to the welfare of all those involved in our activities can be found at www.afl.com.au.

Policies include:

- Privacy Policy
- Australian Football - National Risk Protection Program
- Anti-doping Policy
- Heat Policy
- Lightning Policy
- Racial and Religious Vilification Policy
- Respect and Responsibility Policy

5.5 VICTIMISATION

The AFL and Affiliated State Bodies aim to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation.

It is unlawful to victimise a person who is involved in making a complaint of discrimination or harassment. Victimisation means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under government legislation (e.g. anti-discrimination) or under this policy, or for supporting another person to make a complaint. For example, a player is ostracised by her male coach for complaining about his sexist behaviour to another club official or for supporting another player who has made such a complaint

The AFL or Affiliated State Body will take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to sort it out. Appropriate measures will be imposed on anyone who victimises another person for making a complaint.

5.6 VEXATIOUS COMPLAINTS

If at any point in the complaint process the AFL Human Resources Manager, Contact Officer or the relevant Manager of Game Development of the Affiliated State Body considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the relevant grievance tribunal/committee for appropriate action which may include disciplinary action against the complainant.

5.7 MEDIATION

The AFL and Affiliated State Bodies aim to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint - the complainant and the person complained about (respondent) - may also seek the assistance of a neutral third person or a mediator.

Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the AFL Human Resources Manager, Contact Officer or the relevant Manager of Game Development of the Affiliated State Body will, in consultation with the complainant, arrange for an appropriate, unbiased mediator to mediate the complaint.

5.8 FORMS OF DISCIPLINE

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include making a verbal or written apology, paying a fine, being suspended or de-registered or having a person's appointment or employment terminated.

6. Dictionary

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. State/Territory specific definitions and more detail on some of the words in this dictionary can be sourced from the relevant State/Territory child protection commissions or equal opportunity and anti-discrimination commissions.

Abuse is a form of harassment and includes physical abuse, emotional abuse, sexual abuse, neglect, and abuse of power. Examples of abusive behaviour include bullying, humiliation, verbal abuse and insults.

Affiliated club means one of the AFL Clubs licensed to compete in the AFL Competition or a club affiliated with a league which in turn is affiliated with an Affiliated State Body;

Affiliated State Body means the peak Affiliated State/Territory Bodies in each State/Territory of Australia that has Affiliation and Development Agreements with the AFL.

Child means a person who is under the age of 18 years (see also definition of young person)

Complaint means a complaint made under this policy.

Complainant means the person making a complaint.

Contact Officer means a person nominated by the company to support employees with issues/complaints around discrimination and harassment at work.

Junior means a person under the age of eighteen (18) years who is participating in an activity of the Australian Football

Mediator means a person appointed to mediate complaints made under this policy. It is preferable that the mediator has relevant skills, qualifications and/or training in mediation.

Member means an AFL Club, and any club or league under an Affiliated State Body

Member protection is a term used by the Australian sport industry to describe the practices and procedures that protect members – both individual members such as players, coaches and officials, and the member organisations such as clubs, state associations, other affiliated associations and the national body. Member protection involves:

- protecting those that are involved in sport activities from harassment, abuse, discrimination and other forms of inappropriate behaviour
- adopting appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with juniors, and
- providing education.

Natural justice incorporates the following principles:

- a person who is the subject of a complaint must be fully informed of the allegations against them
- a person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence
- all parties need to be heard and all relevant submissions considered
- irrelevant matters should not be taken into account
- no person may judge their own case
- the decision maker/s must be unbiased, fair and just
- the penalties imposed must not outweigh the 'crime'

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

Policy and this policy mean this Member Protection Policy.

Respondent means the person who is being complained about.

Racial Hatred: Public acts of racial hatred which are reasonably likely in the circumstances 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 on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see vilification.

Role-specific codes of conduct means standards of conduct required of certain roles (e.g. coaches).

Sexual offence means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under state/territory legislation):

- Rape
- Indecent assault
- Sexual assault
- Assault with intent to have sexual intercourse
- Incest
- Sexual penetration of child under the age of 16
- Indecent act with child under the age of 16
- Sexual relationship with child under the age of 16
- 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
- Bestiality
- Soliciting acts of sexual penetration or indecent acts
- Promoting or engaging in acts of child prostitution
- Obtaining benefits from child prostitution
- Possession of child pornography
- Publishing child pornography and indecent articles.

Vilification involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of discrimination. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

Young People/person means people in the 13 – 18 year age group.

Attachment B1: CHILD PROTECTION REQUIREMENTS

This attachment sets out the screening process for people who currently occupy or who apply for any work (paid or voluntary) in the AFL or an Affiliated State Body that works with people under the age of 18 years.

Screening under this policy is not a replacement for any other procedure required by law. If State or Territory legislation sets an equivalent or higher standard of screening, the requirement to screen people under the process outlined below need not be followed.

Association/club requirements

Under AFL's Member Protection Policy, each league and club of each Affiliated State Body is required to:

1. Identify positions (paid and voluntary) that involve working with people under the age of 18 years.
2. Obtain a completed *Member Protection Declaration* (MPD) (Attachment B2) from all people who are bound by this policy if they occupy or apply for a position that involves working with people under the age of 18 years. The MPD will be kept in a secure place.
If a MPD is not provided, or it reveals that a person does not satisfactorily meet with one or more of the clauses in the MPD (e.g. has a relevant criminal conviction), the relevant Affiliated State Body will:
 - provide an opportunity for the person to respond/provide an explanation, and
 - make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.

If unsatisfied, then the Affiliated State Body will:

- in the case of an existing employee/volunteer, transfer the person to another role which does not require them to work [directly and unsupervised] with people under the age of 18 years. If this is not possible, then end the appointment. Note: legal advice should be obtained before the termination process begins.
 - in the case of a someone applying for the position/role, not appoint them.
3. Check a person's referees (verbal or written) and interview a person about his/her suitability for the role and his/her suitability for working with children for both paid and voluntary positions.
 4. Ask people applying for a position that work with people under the age of 18 years to **sign a consent form** for a national police check. (Information on police checks and forms can be found at www.ausport.gov.au/ethics/policechecks.asp).
 5. Request a national police check from our relevant police jurisdiction for people applying for positions that work with people under the age of 18 years.
In most police jurisdictions a 'Part Exclusion' check for people working with children can be requested. This check excludes irrelevant records.

If the police check indicates a relevant offence, the Affiliated State Body:

- provide an opportunity for the person to respond/provide an explanation, and
- make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.

If unsatisfied, then the Affiliated State Body will:

- in the case of an existing employee/volunteer, transfer the person to another role which does not require them to work [directly and unsupervised] with people under the age of 18 years. If this is not possible, then end the appointment. Note: legal advice should be obtained before the termination process begins.
- in the case of a someone applying for the position/role, not appoint them.

If the person does not agree to a national police check after explaining why it is a requirement, the Affiliated State Body shall make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If unsatisfied, the Affiliated State Body will:

- in the case of an existing employee/volunteer, transfer the person to another role which does not require them to work [directly and unsupervised] with people under the age of 18 years. If this is not possible, then end the appointment. Note: legal advice should be obtained before the termination process begins.
 - in the case of a someone applying for the position/role, not appoint them.
6. Decide whether to offer the person the position, taking into account the result of the police check and any other information available. Where it is not practical to complete the police check prior to employment commencing, the Affiliated State Body must still complete the check as soon as possible. The Affiliated State Body will advise the person that their ongoing employment is conditional upon the satisfactory outcome of the check.
 7. Where a national police check is obtained under this member protection policy, another organisation which is also required to screen may obtain a copy of the national police check provided that the consent of the relevant person is obtained and the national police check was performed in the immediately preceding two years.
 8. Protect the privacy of any person who is checked and the confidentiality of any information obtained through the checking process. Information collected during screening (such as a completed MPD form, police records and referee reports) will be returned to the relevant person if that person is not appointed to/will not remain in the position, or otherwise be destroyed with the consent of the person concerned.

Attachment B2: MEMBER PROTECTION DECLARATION

The AFL and Affiliated State Body has a duty of care to its members and to the general public who interact with its employees, volunteers, members and others involved with Australian football activities. As part of this duty of care and as a requirement of the AFL’s Member Protection Policy, the Affiliated State Body must enquire into the background of those applying for, undertaking or remaining in any work (paid or voluntary) that involves working with 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.
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, acts of violence, intimidation or other forms of harassment.
4. I have never been sanctioned for an anti-doping rule violation under any anti-doping policy applicable to me.
5. I have never participated in, facilitated or encouraged any practice prohibited by the World Anti-Doping Agency Code or any other anti-doping policy applicable to me.
6. To my knowledge there is no other matter that the Affiliated State Body may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the President or CEO of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in clauses 1 to 6 above has changed for whatever reason.

Declared in the State/Territory of

on/...../.....(date) Signature

Parent/Guardian Consent (in respect of 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 C1: COMPLAINTS PROCEDURE

1. Overview

This procedure has been developed to ensure that complaints about inappropriate behaviour described in this policy are addressed sensitively, consistently, fairly and confidentially.

A complaint may be reported about an individual or group behaviour informally or formally. It may be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy.

A complaint should be reported to the AFL Human Resources Manager, Contact Officer or the relevant Manager of Game Development of the Affiliated State Body, as the case may be. For the avoidance of doubt, a complaint relating to a club or a league operating under an Affiliated State Body must be reported to that Affiliated State Body, not the AFL.

2. Internal Procedure

(a) Self Resolution

Self resolution may be appropriate where the alleged harasser or bully is oblivious to the impact of their behaviour towards the complainant. If the complainant feels it is appropriate they can attempt to resolve the issue directly with the alleged harasser, without the assistance of AFL Management, by speaking directly to the person/s involved and asking them to stop the offensive behaviour immediately.

(b) Resolve the Complaint Informally

Informal assistance may be appropriate where the complainant is not sure how to handle the problem and wants to talk confidentially about the problem or the problem continues after the complainant has tried to approach the person/s involved. If this is the case, individual/s should talk with the AFL Human Resources Manager, Contact Officer or Manager of Game Development for the Affiliated State Body.

Informal procedures that may be adopted could include the following:

- provide possible options/methods for the complainant to resolve the problem and/or make a referral to an appropriate person to help the complainant resolve the problem eg: a mediator..
- explain how the AFL complaints procedure works;
- act as a support person;
- privately speak with the alleged offender on behalf of the complainant
- inform the relevant government authorities and/or police if required by law to do so

(c) Resolve the Complaint Formally

Formal procedures may be appropriate where informal procedures have been ineffective, the complaint involves serious and/or criminal allegations or the complainant wishes to make a formal complaint from the outset. Formal

complaints can be lodged with the AFL Human Resources Manager, Contact Officer or Manager of Game Development for the Affiliated State Body.

Both parties involved in a formal complaint have a number of rights and responsibilities which are detailed below:

Complainant's Rights	Respondent's Rights
<ul style="list-style-type: none"> • Have the complaint investigated and if necessary conciliated • Have support/representation if requested • Express views and opinions without intimidation from others • Discontinue a complaint • Have the situations remedied • Privacy 	<ul style="list-style-type: none"> • Have natural justice • Not be discriminated against • Not be dismissed unfairly, harshly or unreasonably • Privacy • Have support/representation if requested • Not be defamed • Not be the subject of unfounded or malicious complaints

A formal procedure will be followed as appropriate for each individual complaint which may include one or more of the following steps:

- document full information from the complainant about the complaint and how they want it resolved;
- put the information received from the complainant to the person/people that the complaint is about and ask them to provide their side of the story;
- decide whether enough information has been obtained to determine whether the matter alleged in the complaint did or didn't happen; and/or
- determine what, if any, further action to take. This action may include appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session and/or referring the complaint to the police or other appropriate authority.

NB: Where a complaint relates to an allegation of child abuse the matter will immediately be referred to the police or relevant state government authority.

More detailed information on conducting internal investigations can be found at www.ausport.gov.au/ethics/policy.asp

(d) Appeal Process

If the internal complaints processes set out in this Policy do not achieve a satisfactory resolution/outcome, or if the complainant believes it would be impossible to get an impartial resolution within the AFL or Affiliated State Body, an external agency such as The Equal Opportunity Commission may be contacted to assist with a resolution.

3. External Procedure

There may be a range of external options available depending on the nature of the complaint. In the case of harassment or discrimination advice can be sought from the

State or Territory Equal Opportunity Commission without being obliged to make a formal complaint. In the case of more serious breaches such as child abuse, the police or relevant state government department responsible for issues of child welfare should be notified.

If an individual wishes to lay a complaint to an external body then guidance and support is available from the AFL Human Resources Manager or Manager of Game Development for the Affiliated State body.