



**FOOTBALL QUEENSLAND
MEMBER PROTECTION POLICY**

Effective from 27th February 2013

PART A: Football Queensland Member Protection Policy	4
1 Purpose of Policy	4
2 Who this Policy Applies To	4
3 Responsibilities of FQ	4
4 Individual Responsibilities	4
5 Position Statements.....	5
6 Complaints Procedures.....	9
7 What is a Breach of this Policy.....	11
8 Disciplinary Measures	11
9 Dictionary.....	12
PART B: WORKING WITH CHILDREN CODE OF CONDUCT.....	17
PART C: SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS.....	21
Attachment C1: SCREENING REQUIREMENTS	22
Attachment C2: MEMBER PROTECTION DECLARATION.....	23
Attachment C3: WORKING WITH CHILDREN CHILD PROTECTION REQUIREMENTS	24
PART D: COMPLAINT HANDLING PROCEDURES.....	25
Attachment D1: COMPLAINTS PROCEDURE	25
Attachment D2: MEDIATION.....	28
Attachment D3: INVESTIGATION PROCESS	29
Attachment D4: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE	30
PART E: REPORTING REQUIREMENT AND DOCUMENTS.....	32
Attachment E1: CONFIDENTIAL RECORD OF INFORMAL COMPLAINT	33
Attachment E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT	34
PART F: ROLE SPECIFIC CODES OF CONDUCT.....	38
A. FOOTBALL CODE OF CONDUCT	38
B. SPECTATOR CODE OF BEHAVIOUR	38

Message from the Chief Executive Officer

This Member Protection Policy is based substantially on Football Federation Australia's national policy, and is tailored to Football Queensland and to football in Queensland. The Policy aims to ensure FQ core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. Through this Policy, we aim to ensure that everyone involved in Football in Queensland is aware of his or her legal and ethical rights and responsibilities.

This Policy also provides the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from Football. As part of this commitment, FFA or FQ as appropriate will take disciplinary action against any person or organisation bound by this Policy if they breach it.

FQ is committed to providing an environment safe for children, which is free from harassment and abuse for everyone, and promotes respectful and positive behaviour and values. This Policy provides codes of conduct and behaviour that form the basis of appropriate and ethical conduct by which everyone must abide.

This Policy is an essential part of our organisation's proactive and preventative approach to tackling inappropriate behaviour.

As Chief Executive Officer, I endorse this Policy and am personally committed to ensuring that everyone associated with FQ complies with it.

.....
Geoff Foster
Chief Executive Officer

12 February 2013

PART A: Football Queensland Member Protection Policy

1 Purpose of Policy

This Football Queensland (**FQ**) Member Protection Policy has been adopted from the Football Federation Australia (**FFA**) Member Protection Policy (Policy) and will work towards maintaining ethical and informed decision-making and responsible behaviours within our sport in Queensland. It outlines our commitment to a person's right to be treated with respect and dignity and to be safe and protected from abuse. This Policy informs everyone involved in our sport at the state and local levels of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

The Policy attachments outline the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport in Queensland. As part of this commitment FFA and/or FQ will take disciplinary action against any person or organisation bound by this Policy if they breach it.

The adoption of the FFA Member Protection Policy as an annexure to the FFA Statutes and as updated from time to time to reflect amendments to legislation and prevailing Australian Sports Commission standards has been approved by the Board of Directors of FFA. This current version of the Policy, adapted for Queensland, has been approved by the FQ Board and is effective from **21 December 2012** and will operate until replaced.

2 Who this Policy Applies To

This Policy applies to FQ, Zones, Competition Administrators, Clubs, Officials, Agents and Players. To the fullest extent possible, it also applies to parents and guardians of Players and to Spectators at Matches. This Policy will continue to apply to a person, even after they have stopped their association or employment with FQ, if disciplinary action against that person has commenced.

3 Responsibilities of FQ

FQ will:

- 3.1 Adopt, implement and comply with this Policy;
- 3.2 Make such amendments to its Constitutions, rules or policies necessary for this Policy to be enforceable;
- 3.3 Publish, distribute and promote this Policy and the consequences of breaches;
- 3.4 Promote and model appropriate standards of behaviour at all times;
- 3.5 Promptly deal with any breaches or complaints made under this Policy in a sensitive, fair, timely and confidential manner;
- 3.6 Apply this Policy consistently;
- 3.7 Recognise and enforce any penalty imposed under this Policy;
- 3.8 Ensure that a copy of this Policy is available or accessible to the persons and associations to whom this Policy applies;
- 3.9 Appoint appropriately trained people to the positions of Queensland Member Protection Information Officer (*MPIO*) to receive and manage complaints and allegations;
- 3.10 Monitor and review this Policy on a regular basis.

4 Individual Responsibilities

Individuals bound by this Policy are responsible for:

- 4.1 Making themselves aware of the Policy and complying with its standards of behaviour;
- 4.2 Complying with applicable screening requirements and any state/territory Working with Children Checks;
- 4.3 Placing the safety and welfare of children above other considerations;
- 4.4 Being accountable for their behaviour;

- 4.5 Following the procedures outlined in this Policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour; and
- 4.6 Complying with any decisions and/or disciplinary measures imposed under this Policy.

5 Position Statements

5.1 Child Protection

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

FQ acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in football. FQ aims to continue this and to take measures to protect the safety and wellbeing of children participating in football by:

5.1.1 Identifying and Analysing Risk of Harm

FQ will develop and implement risk management strategies, which include a review of existing child protection practices, to determine how child-safe and child-friendly FQ is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another child.

5.1.2 Developing Codes of Conduct for Adults and Children

FQ will ensure that there is a Working With Children Code of Conduct that specifies standards of conduct and care when dealing and interacting with children, particularly those in the care of FQ.

The Working With Children Code of Conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour and will address appropriate behaviour between children (see Part B of this Policy).

5.1.3 Choosing Suitable Employees and Volunteers

FQ will ensure that all reasonable steps are taken to ensure that the most suitable and appropriate people to work with children (in prescribed positions) are engaged. This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

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

If a criminal history report is obtained as part of their screening process, FQ will ensure that the criminal history information is dealt with in accordance with relevant state requirements in Queensland (see Part C of this Policy).

5.1.4 Supporting, Training, Supervising and Enhancing Performance

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

5.1.5 Empowering and Promoting the Participation of Children in Decision-Making and Service Development

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

5.1.6 Report and Respond Appropriately to Suspected Abuse and Neglect

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

FQ will make all volunteers and employees aware of their responsibilities under respective state laws if they have a suspicion on reasonable grounds that a child has been or is being abused or neglected (see Part E of this Policy).

In addition to any legal obligation, if any person feels another person or organisation bound by this Policy is acting inappropriately towards a child or is breaching the Working With Children Code of Conduct they may make an internal complaint. Please refer to our complaints procedure outlined in Part D of this Policy. This will explain what to do about the behaviour and how FQ will deal with the problem.

5.2 Taking Images of Children

Images of children cannot be used inappropriately or illegally. FQ requires that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child who is not their own and ensure that the parent knows how the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

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

FQ requires Zones, including Associations and Clubs, to do likewise.

5.3 Anti-Discrimination and Harassment

FQ oppose all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying, based on personal characteristics such as those listed in the Dictionary at section 9 of this Policy, are against the law.

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 D1** of this Policy. This will explain what to do about the behaviour and how FFA or FQ will deal with the problem.

5.4 Sexual Relationships

FQ takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided as these relationships can have harmful effects on the individual athlete involved, on other athletes and coaches, and on football's public image. Such relationships may be intentionally or unintentionally exploitative due to a disparity between coaches and athletes in terms of authority, power, maturity, status, influence and dependence.

Should a sexual relationship exist between an athlete and coach, FQ will consider whether any action is necessary. Factors that may be relevant in this consideration are the age and maturity of the athlete relative to the coach, the financial or emotional dependence of the athlete on the coach, and the likelihood of the relationship having any adverse impact on the athlete and/or other athletes. If it is

determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. Action may include transfer, a request for resignation or dismissal from coaching duties.

In the event that an athlete attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. The coach or athlete may wish to approach the Queensland Member Protection Information Officer if they feel harassed. The Complaints Procedure is outlined in **Attachment D1** of this Policy.

5.5 Pregnancy

Everyone bound by this Policy must treat pregnant women with dignity and respect and any unreasonable barriers to participation by them in our sport should be removed. FQ will not tolerate any discrimination or harassment against pregnant women.

While many sporting activities are safe for pregnant women, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the sporting activity and the particular pregnant woman's circumstances. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in football.

FQ recommends that pregnant women wanting to participate in our sport consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation. FQ will only require pregnant women to sign a disclaimer if we require other participants to sign one in similar circumstances. FQ will not require women to undertake a pregnancy test.

5.6 Gender Identity

Everyone bound by this Policy must treat people who identify as Transgender fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. FQ will not tolerate any unlawful discrimination or harassment of a person who identifies as Transgender or Transsexual or who is thought to be transgender. Descriptions of the types of behaviour which could be regarded as Transgender discrimination or Harassment are provided in the Dictionary at section 9 of this Policy.

FQ recognises that the exclusion of Transgender people from participation in sporting events and activities may have significant implications for their health, well-being and involvement in community life. In general FQ will facilitate Transgender persons participating in football with the gender with which they identify.

FQ also recognise there is debate over whether a male or female Transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country. If issues of performance advantage arise, FQ will seek advice on the application of those laws in the particular circumstances.

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

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 (**WADA**) Prohibited List, should apply for a standard Therapeutic Use Exemption.

5.7 Alcohol Policy

FQ recommends that Zones and their member Clubs adhere to strict guidelines regarding the responsible consumption of alcohol. Responsible service and consumption of alcohol should apply to any alcohol to be consumed during or after the competition has concluded. Responsible service of alcohol will entail:

- a) Making sure light alcohol and soft drinks are always available as alternatives to full strength alcohol;
- b) Wherever possible, food being available to be consumed when alcohol is available;
- c) Transport policies, and Board/Committee Members being in attendance to ensure appropriate practices are followed.

Guidance can be obtained from the "Alcohol Management Policy" available at <http://www.goodsports.com.au/goodsports/pages/sample-policies.html>

5.8 Smoking Policy

The following policies should be applied to all football-related events (including matches and social functions):

- a) No smoking shall occur at or near any sporting event or competition involving persons under the age of 18, and this Policy applies to all coaches, players, trainers, officials and volunteers;
- b) Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas;
- c) Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity for any FQ Club or representative team, on and off the field.

5.9 Cyber Bullying/Safety

Bullying and harassment in all forms is regarded by FQ as unacceptable in this sport. Given the emergence of new telephone and internet social networks, the opportunity for unwanted and improper comments and statements has dramatically increased. Messages or statements made in these ways using these means of communication are largely instantaneous, and can easily be abused. Others may also manipulate a person by encouraging a statement to be made on Twitter, Facebook, My Space or LinkedIn, for example, when the writer may be upset or vulnerable. Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a referee, team-mate, coach, or sporting body should never be communicated on social network channels, but rather by way of reasoned and logical verbal and written statements and where appropriate, complaints, to the relevant controlling Competition Administrator, Club, Zone or to FQ.

5.10 Social Networking Websites Policy

FQ acknowledges the emergence of new technology and communication mediums (**Social Media**), and wish to enable such Social Media to be used to benefit football and its participants, and to applaud achievements. However, participants within football need to be mindful of the possibility of Social Media being used inappropriately. Inappropriate use may occur unintentionally or when participants do not realise that their comments, once published are in a public forum, and are difficult to retract.

Social Media platforms include:

- a) social networking sites, including Facebook, MySpace, and LinkedIn;
- b) video and photo sharing websites, including Flickr and YouTube;
- c) micro-blogging sites, such as Twitter;
- d) weblogs, including personal blogs or blogs hosted by traditional media publications;
- e) forums and discussion boards, including those operated by Fox Sports, Four Four Two or The World Game;
- f) online encyclopaedias, such as Wikipedia; and
- g) any other web site that allow individual users or companies to use simple publishing tools.

Cautions FQ recommend include:

- a) do not include personal information of yourself or others in Social Media channels;
- b) do not use offensive, provocative or hateful language in Social Media channels;
- c) use your best judgment – do not publish something that makes you the slightest bit uncomfortable, and never write/ publish if you are feeling emotional or upset (or are intoxicated);
- d) always ask for a person's permission before posting their picture on Social Media platform;
- e) never comment on rumours, do not deny or affirm them or speculate about rumours in Social Media channels; and
- f) always use Social Media/ network forums to add value and promote football in a positive way.

In addition to this Policy, FQ may from time to time issue Social Media policies and/ or guidelines that apply to specific individuals.

6 Complaints Procedures

6.1 Complaints

Any person may report a complaint about a Member bound by this Policy if they reasonably think that a Member has breached this Policy or has otherwise engaged in unethical or inappropriate conduct or behaviour.

FQ aims to provide a simple procedure for complaints based on the principles of procedural fairness (**Natural Justice**). Any person (**Complainant**) may report a complaint about a person/s or organisation bound by this Policy (**Respondent**). Such complaints should be reported to the Queensland MPIO.

The Complaints Procedure outlined at Part D of this Policy applies exclusively to the reporting, investigation and resolution of complaints reported under this Policy.

FQ:

- a) must deal with any complaints about breaches of this Policy promptly, seriously, sensitively and confidentially and in accordance with the Complaints Procedure;
- b) must keep complaints confidential and will not disclose to another person without the Complainant's consent, except if required by law or if disclosure is necessary to effectively deal with the complaint; and
- c) recognise that Natural Justice is the minimum standard of fairness to be applied in the investigation and adjudication of a complaint.

The lowest level at which a matter can be dealt with shall always be preferred. Therefore, if a complaint relates to behaviour or an incident that occurred at the:

- a) 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;
- b) State level or involves people operating at the state level, then the complaint should be reported to and handled by FQ in the first instance; or
- c) National level, then the complaint should be reported to and handled by the FFA.

Only matters that relate to or occur at the national level and the most serious cases from state level should be referred to FFA.

A Complainant:

- a) must initially attempt to resolve the complaint with the person involved; and
- b) if this is not possible or reasonable given the sensitivity of the complaint, or that attempt does not provide a satisfactory outcome, the Complainant may notify the Queensland MPIO and make an informal or formal complaint.

FQ aims for our Complaints Procedure to have integrity and be free of unfair repercussions or victimisation. If at any point in the complaints process the MPIO, considers that a Complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the Disciplinary Committee for appropriate action which may include disciplinary action against the Complainant.

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

A complaint may be dealt with informally or formally, depending on whether an informal or formal complaint was lodged in accordance with this Policy (see attachments E1 and E2). The Complainant usually decides this unless the Queensland MPIO considers that the complaint falls outside this Policy and would be better dealt with another way and/or the law requires the complaint/allegation to be reported to an appropriate authority.

Individuals and organisations may also pursue their complaint externally under anti-discrimination, child protection, criminal or other relevant legislation.

6.2 Improper Complaints & Victimisation

FQ aims for the Complaints Procedure to have integrity and be free of unfair repercussions or victimisation against the person making the complaint. If at any point in the complaints process the Queensland MPIO considers that a complainant has **knowingly** made an untrue complaint or the complaint is malicious or intended to cause distress to the person complained of, the matter may be referred to FQ for appropriate action which may include disciplinary action against the complainant.

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

6.3 Mediation

FQ aims to resolve complaints with a minimum of fuss. Complaints may be resolved by agreement between the people involved with no need for disciplinary action. Mediation allows those involved to be heard and to come up with mutually agreed solutions.

Mediation 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 Queensland MPIO will, in consultation with the complainant, arrange for a neutral third party mediator where possible. Lawyers are not able to negotiate on behalf of the Complainant and/or the Respondent. More information on the mediation process is outlined at Part D2 of this Policy.

6.4 Tribunals – Hearings and Appeal

A Tribunal may be convened by FFA in its discretion to hear a formal complaint in the following circumstances:

- a) for an alleged breach of this Policy, as described in section 7 of this Policy; and
- b) when referred to it by:
 - i. the CEO or Chairman/President of FQ because of the serious nature of the event or the inability to resolve the matter at the Member Federation level;
 - ii. the FFA MPIO.

The FFA Tribunal Procedure is set out in the FFA Grievance Resolution Regulations (as defined).

A Tribunal may be convened by FQ to hear a formal complaint:

- a) Referred to it by a Zone because of the serious nature of the event or the inability to resolve the matter at the Zone level;
- b) Referred to it by the Queensland MPIO; and/or
- c) For an alleged breach of this Policy, as described in section 7.

The FQ Tribunal Procedure is based substantially on the FFA Grievance Resolution Regulations (as defined) and can be obtained from FQ.

A Respondent may lodge an appeal only to the Appeal Tribunal in respect of a Tribunal decision in accordance with the Grievance Resolution Regulations. The decision of the Appeal Tribunal is final and binding.

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

7 What is a Breach of this Policy

It is a breach of this Policy for any person or organisation to which this Policy applies, to do anything contrary to this Policy, including but not limited to:

- a) Breaching the Working With Children Code of Conduct;
- b) Bringing football and/or FQ into disrepute, or acting in a manner likely to bring football and/or FQ into disrepute;
- c) Failing to follow FFA and/or FQ Statutes, Regulations and policies (including this Policy) and procedures for the protection, safety and wellbeing of children;
- d) Discriminating against, harassing or bullying (including cyber-bullying) any person;
- e) Victimising another person for reporting a complaint;
- f) Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- g) Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- h) Disclosing to any unauthorised person or organisation any information of FQ that is of a private, confidential or privileged nature;
- i) Making a complaint they knew to be untrue, vexatious, malicious or improper;
- j) Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this Policy; or
- k) Failing to comply with a direction given to the individual or organisation during the discipline process.

8 Disciplinary Measures

If an individual or organisation to which this Policy applies breaches this Policy, one or more forms of discipline may be imposed. Any disciplinary measure imposed under this Policy must:

- a) Be applied consistent with any contractual and employment rules and requirements;
- b) Be fair and reasonable;
- c) Be based on the evidence and information presented and the seriousness of the breach; and
- d) Be determined in accordance with Part V of the FFA Statutes.

8.1 Individual

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

- a) A direction that the individual make a verbal and/or written apology;
- b) A written warning;
- c) A direction that the individual attend counselling to address their behaviour;
- d) A withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by FQ;
- e) A demotion or transfer of the individual to another location, role or activity;
- f) A suspension of the individual's membership or participation or engagement in a role or activity;
- g) Termination of the individual's membership, appointment or engagement;
- h) A recommendation that FQ terminate the individual's membership, registration, appointment or engagement;
- i) In the case of a coach or official, a direction that FQ de-register the accreditation of the coach or official for a period of time or permanently;
- j) A fine;
- k) Any other form of discipline that Tribunal considers appropriate within the limitations described in Part V of the FFA Statutes.

8.2 Organisation

If a finding is made that a Zone or Competition Administrator has breached this Policy, one or more of the following forms of discipline may be imposed by the Tribunal:

- a) A written warning;
- b) A fine;
- c) A direction that any rights, privileges and benefits provided to by FFA, FQ or other peak association be suspended for a specified period;
- d) A direction that any funding granted or given to it by FQ cease from a specified date;
- e) A direction that FQ cease to sanction events held by or under its auspices;
- f) A recommendation that its membership of FQ or Zone be suspended or terminated in accordance with the relevant constitution or rules; and/or
- g) Any other form of discipline that the Tribunal considers to be reasonable and appropriate.

8.3 Factors to consider

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

- a) The nature and seriousness of the breach;
- b) If the person(s) knew or should have known that the behaviour was a breach;
- c) The level of contrition;
- d) The effect of the proposed disciplinary measures on the person(s) including any personal, professional or financial consequences;
- e) If there have been relevant prior warnings or disciplinary action;
- f) The ability to enforce discipline if the person(s) is a parent or spectator (even if they are bound by the Policy); and/or
- g) Any other mitigating circumstances.

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

In the event that a capitalised term within this Policy is not defined within this Dictionary, its definition is as contained within the FFA Statutes.

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.

ASADA is the Australian Sports Anti-Doping Authority.

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

Child abuse involves conduct which puts children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms, including verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

- a) 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).
- b) 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).
- c) 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).
- d) 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).

Complaint means a complaint made under section 6 of this Policy.

Complainant means a person making a complaint under section 6 of this Policy.

Discrimination means treating or proposing to treat someone less favourably because of a particular characteristic in the same or similar circumstances in certain areas of public life (Direct Discrimination), or 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 (Indirect Discrimination). The characteristics covered by discrimination law across Australia include, but are not limited to:

- a) Age;
- b) Disability;
- c) Family/carer responsibilities;
- d) Gender identity/transgender status;
- e) Homosexuality and sexual orientation;
- f) Irrelevant medical record;
- g) Irrelevant criminal record;
- h) Political belief/activity;
- i) Pregnancy and breastfeeding;
- j) Race;
- k) Religious belief/activity;
- l) Sex or gender;
- m) Social origin;
- n) Trade union membership/activity;
- o) Physical features;
- p) Association with a person with one or more of the characteristics listed above.

Examples of Discrimination include:

- a) Age: A club refuses to allow an older person to coach a team simply because of age.
- b) Breastfeeding: A member of the club who is breastfeeding a baby in the club rooms is asked to leave.
- c) Disability: A player is overlooked for team selection because of mild epilepsy.
- d) Family responsibilities: A club decides not to promote an employee because she has a child with a disability even though the employee is the best person for the job.
- e) Gender Identity: A Transgender player is harassed when other players refuse to call her by her female name.

- f) Homosexuality: An athlete is ostracised from his team after it becomes known that he is a homosexual.
- g) Marital Status: A player is deliberately excluded from team activities and social functions because she is single.
- h) Pregnancy: A woman is dropped from a squad when she becomes pregnant.
- i) Race: An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.
- j) Sex: Specialist coaching is only offered to male players in a mixed team.

FFA Statutes means FFA's statutes as promulgated by FFA from time to time, including its constitution and by-laws and rules and regulations and policies and procedures (including the Grievance Resolution Regulations).

Grievance Resolution Regulations means the FFA Grievance Resolution Regulations promulgated by FFA or such document that supersedes or replaces the FFA Grievance Resolution Regulations which is available on FFA's website at <http://www.footballaustralia.com.au/insideffa/statutes>

Harassment is any type of behaviour that the other person does not want and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and a reasonable person would recognise it as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some other personal characteristic protected by law (see characteristic list under discrimination). Unlawful harassment includes Sexual Harassment.

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal, and includes electronic cyber communication.

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).

Some exceptions to state and federal anti-discrimination law apply. Examples include:

- a) Holding a competitive sporting activity for boys and girls only who are under 12 years of age or of any age where strength, stamina or physique is relevant; or
- b) 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.

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

It is also a breach of discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment. Example: a player is ostracised by her male coach for complaining about his sexist behaviour or for supporting another player who has made such a complaint.

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 on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see definition of Vilification.

Investigator means the person appointed pursuant to Step 4 of the Complaint Handling Procedures as outlined at Part D.

Mediator means an impartial/neutral person appointed to mediate Complaints.

Member Federation has the same meaning as in the FFA Statutes, being a State, Territory or regional federation or association that is a member or interim member of FFA. For the purposes of this policy, Member Federation refers to Football Queensland (see www.footballqueensland.com.au).

Member Protection Declaration means the declaration contained at Attachment C2 of this Policy.

Member Protection Information Officer (MPIO) means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy at the FFA level. The MPIO provides impartial and confidential support to the person making the complaint.

Natural Justice (also referred to as procedural fairness) incorporates the following principles:

- a) both the Complainant and the Respondent must know the full details of what is being said against them and have the opportunity to respond;
- b) all relevant submissions must be considered;
- c) no person may judge their own case;
- d) the decision maker/s must be unbiased, fair and just;
- e) the penalties imposed must be fair.

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

Respondent means the person who is being complained about.

Sexual Harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which could reasonably be anticipated to make 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.

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):

- a) Rape
- b) Indecent assault
- c) Sexual assault
- d) Assault with intent to have sexual intercourse
- e) Incest
- f) Sexual penetration of child under the age of 16
- g) Indecent act with child under the age of 16
- h) Sexual relationship with child under the age of 16
- i) Sexual offences against people with impaired mental functioning
- j) Abduction and detention
- k) Procuring sexual penetration by threats or fraud
- l) Procuring sexual penetration of child under the age of 16
- m) Bestiality
- n) Soliciting acts of sexual penetration or indecent acts
- o) Promoting or engaging in acts of child prostitution
- p) Obtaining benefits from child prostitution
- q) Possession of child pornography
- r) Publishing child pornography and indecent articles.

State Member Protection Information Officers means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy at the Member Federation level. The State Member Protection Officer provides impartial and confidential support to the person making the complaint. The contact details of the Queensland Member Protection Information Officers are available from FQ.

Transgender/ Transsexual are general terms applied to individuals and behaviours that differ from the gender role commonly, but not always, assigned at birth. It does not imply any specific form of sexual orientation.

Tribunal means the Tribunal granted jurisdiction to hear complaints made under this Policy pursuant to the FFA Statutes.

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 any complaint including a complaint under government legislation (e.g. anti-discrimination) or under this Policy, or for supporting such a person.

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.

Working With Children Check or WWCC means the relevant process for assessing or re-assessing whether a person is suitable to work in child-related work in that state or territory.

Working With Children Code of Conduct means the Working With Children Code of Conduct in Part B of this Policy.

World Anti-Doping Agency's Prohibited List means the list published by the World Anti-Doping Agency. It identifies substances and methods prohibited in-competition, out-of-competition and in particular sports.

Zone means the District Associations or zones that comprise FQ (which as at the date of this Policy there are 10 zones).

PART B: WORKING WITH CHILDREN CODE OF CONDUCT

This Code of Behaviour aims to set out the minimum standards for anyone involved in football in Queensland. It should apply when playing, training or taking part in club-sanctioned activities.

1. Coaches Code of Conduct

In addition to the FQ Code of Conduct, you must meet the following requirements during any activity held or sanctioned by FQ and in your role as a coach of FQ:

- (a) Operate within FQ rules and promote integrity and good character amongst participants.
- (b) Encourage and support opportunities for participants to learn appropriate behaviours and skills in all aspects of the sport.
- (c) Treat each participant as an individual.
- (d) Help each participant reach their potential - respect the talent, developmental stage and goals of each individual and encourage with positive and supportive feedback.
- (e) Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with participants under the age of 18 years.
- (f) Place the safety and welfare of the participants above all else.
- (g) Adopt appropriate and responsible behaviour and ensure that your decisions and actions contribute toward creating an environment which minimises participant behaviour likely to bring the game of football into disrepute. Such behaviour is not to be tolerated and includes:
 - i. Discriminatory behaviour, including public disparagement of, discrimination against, or vilification of, a person on account of their gender, ability, cultural background or religion;
 - ii. Offensive behaviour, including abusive, obscene, harmful, provocative or insulting gestures, language or chanting;
 - iii. Intimidation of match officials, coaches or administrators or the use of actions to pressure a match official, coach or administrator to take or omit to take certain action regardless of where such action is taken;
 - iv. Unwelcome physical contact or harassment which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstances;
 - v. Abuse of position to obtain personal benefit;
 - vi. Commission or charge of a criminal offence; or
 - vii. Any other conduct, behaviour or statement that materially injures the reputation and goodwill of FQ or football generally.

2. Participants 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 FQ and in your role as participants of FQ:

- (a) Respect the rights, dignity and worth of fellow participants, coaches, officials and spectators.
- (b) Respect the talent, potential and development of fellow team members and competitors.
- (c) Care and respect the equipment provided to you as part of your program.
- (d) Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
- (e) Maintain honesty in your attitude and preparation to training. Work equally hard for yourself and your team.
- (f) Cooperate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.
- (g) Ensure that you do not exhibit behaviour that is likely to be construed as bringing FQ or the game of football into disrepute, as outlined by Article 1(g).

3. 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 FQ and in your role as an official appointed by FQ:

- (a) Operate within FQ rules and promote integrity and good character amongst participants.
- (b) Encourage and support opportunities for participants to learn appropriate behaviours and skills in all aspects of the sport.
- (c) Treat each participant as an individual.
- (d) Help each participant reach their potential - respect the talent, developmental stage and goals of each individual and encourage with positive and supportive feedback.
- (e) Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with participants under the age of 18 years.
- (f) Place the safety and welfare of the participants above all else.
- (g) Maintain consistency and impartiality when making decisions.
- (h) Address unsporting behaviour and promote respect for all participants.
- (i) Adopt appropriate and responsible behaviour and ensure that your decisions and actions contribute toward creating an environment which minimises participant behaviour likely to bring the game of football into disrepute. Such behaviour is not to be tolerated and includes:
 - i. Discriminatory behaviour, including public disparagement of, discrimination against, or vilification of, a person on account of their gender, ability, cultural background or religion;
 - ii. Offensive behaviour, including abusive, obscene, harmful, provocative or insulting gestures, language or chanting;

- iii. Intimidation of match officials, coaches or administrators or the use of actions to pressure a match official, coach or administrator to take or omit to take certain action regardless of where such action is taken;
- iv. Unwelcome physical contact or harassment which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstances;
- v. Abuse of position to obtain personal benefit;
- vi. Commission or charge of a criminal offence; or
- vii. Any other conduct, behaviour or statement that materially injures the reputation and goodwill of FQ or football generally.

4. 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 FQ and in your role as a parent/guardian of a participant of FQ:

- (a) Treat your child the same irrespective of them winning or losing.
- (b) Remember that your child participates in the sport of football for their enjoyment and not yours.
- (c) Try to have fun when you are around your children at competitions. Well-directed humour can be a great de-stressor.
- (d) Look relaxed, calm and positive on the sidelines.
- (e) Make friends with other parents at competitions.
- (f) Get involved in appropriate ways if your child or the coach behaves in unacceptable ways during competitions.
- (g) Let the coach do the coaching.
- (h) Understand that children will benefit from a break sometimes and that involvement in other sports is acceptable.
- (i) Be there when your child performs poorly. Be an understanding listener rather than a critic, judge and/or fixer.
- (j) Be prepared to give your child some space so that he/she can grow and develop as an independent person.
- (k) Let your child know that your love for them is not associated with their sporting performances.
- (l) Communicate with your child and ask them how they are really feeling about their sport and about competing in particular.
- (m) Occasionally let your child compete without you being there and hovering over them.
- (n) Emphasise the good things your child did in preparing for and during the competition.
- (o) Try to avoid:
 - i. Saying “we’re competing today” and instead say “you’re competing today”; give your child credit for accepting the responsibility of performing;
 - ii. Getting too pushy or believing that you are indispensable, let the coach do the coaching;

- iii. Living through your child's performances;
- iv. Turning away when your child performs;
- v. Turning away when your child's behaviour is unsportsmanlike;
- vi. Telling your child what he/she did wrong after a tough competition;
- vii. Making enemies with your child's opponents or family during a competition;
- viii. Making your child feel guilty by reminding them about all the time, money and sacrifices you are making for his or her sport;
- ix. Thinking of your child's sporting performances as an investment for which you expect a return;
- x. Badgering, harassing or use sarcasm to motivate your child;
- xi. Comparing your child's performances with those of other children; or
- xii. Forcing your child to go to training, if they are sick of training find out why and discuss it with them.

PART C: SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

Background

Child protection is about keeping children safe from harm/abuse. Child abuse is illegal, and Queensland has its own systems and laws that cover screening and/or the reporting and investigation of cases of child abuse.

Working with Children Check (**WWCC**) laws aim to prevent people who pose a risk from working with children as paid employees or volunteers. In Queensland, laws require individuals involved in areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with children. This is done by checking certain criminal history and other matters. In some states this also involves reviewing relevant findings from disciplinary proceedings. There are also requirements placed on organisations.

Please be aware that state and territory WWCC requirements may also apply to individuals who visit states with screening laws. For example, if FQ or a Queensland registered club takes players under 18 into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with NSW law. For information on WWCC requirements of other states and territories, please visit the FFA National Member Protection Policy (available on its website, www.footballaustralia.com.au).

The Queensland WWCC requirements apply regardless of any provisions within this Policy.

The following attachments provide:

- a) Summary information on requirements in Queensland and where to obtain more information and relevant forms (Attachment C3);
- b) Our Member Protection Declaration (Attachment C2)
- c) The screening requirements for people residing in ACT and Tasmania for reference only (Attachment C 1).

Please note: Working With Children Check exemptions

At the time of this Policy, it was proposed that there be national exemptions to Working with Children Checks for paid employees and volunteers who are required to cross state or territory borders for work related purposes.

It was proposed that these exemptions will be for up to 30 days in any 12 month period and will enable workers to participate in national and inter-jurisdictional activities on a short-term basis. This would mean that volunteers and workers with a valid WWCC in Queensland will be able to participate in short-term activities across state and territory borders without the need for additional checks.

Accordingly, FQ suggests that personnel who have a WWCC in Queensland and who intend to participate in activities across state and territory borders, check whether these exemptions may apply to them.

Attachment C1: SCREENING REQUIREMENTS

This section is retained here only for reference as it does not apply to Queensland. The below Screening Requirements are applicable for states/territories without Working With Children Checks (such as ACT and Tasmania)

This attachment sets out the screening process for people in FFA who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years.

FFA will, and also requires state associations and clubs to:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed Member Protection Declaration (**MPD**) (attachment C2) from all people who are identified in the above step and keep it in a secure place.
3. Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied, we will not appoint them to the role/position.
4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
5. Ask the people identified in step 1 to sign a consent form for a national police check.
6. Possibly request (or ask the person to request) a national 'Part Exclusion' police check from our relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we will make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If unsatisfied, we will not appoint them to the role/position.
7. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under our Policy. If unsatisfied, we will not appoint them.
8. Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
10. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.

Attachment C2: MEMBER PROTECTION DECLARATION

FQ has a duty of care to all those associated with the sport in Queensland and to the individuals and organisations to whom our Member Protection Policy applies. As a requirement of our Member Protection Policy, FQ must enquire into the background of those who undertake any work, coaching or regular unsupervised contact 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, other forms of harassment or acts of violence.
4. I am not currently serving a sanction for an anti-doping rule violation under an 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 FQ may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the 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.

Declared in the Queensland.....

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

Parent/Guardian Consent (in respect 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 C3: WORKING WITH CHILDREN CHILD PROTECTION REQUIREMENTS

The following information was updated in September 2012. It is subject to change at any time.

1. QUEENSLAND

A person will need a Working with Children Check (**WWCC**), also known as the blue card, if they propose to work in a paid or voluntary capacity or to carry on a business in a child-related area regulated by the *Commission for Children and Young People and Child Guardian Act 2000*. Once a person is checked and approved they are issued with a "blue card." Volunteers and paid employees employed in sporting organisations generally fall under the 'churches, clubs and associations' category of regulated employment. Volunteers and paid employees employed in private businesses may fall under the 'sport and active recreation' category of regulated employment. The check is a detailed national criminal history check including charges and investigations relating to children.

People such as those with previous convictions involving children are disqualified from applying for or renewing a blue card (refer to website below for details).

A blue card remains current for three years. Existing card holders will be notified by the Queensland Commission for Children and Young People and Child Guardian before their card expires.

In addition to obligations regarding the blue card, employers must develop and implement a written child protection risk management strategy and review it each year.

For more information on the blue card, including current forms, visit www.ccygqld.gov.au or call 1800 113 611.

2. OTHER STATES AND TERRITORIES

For information on WWCC requirements of other states and territories, please visit the FFA National Member Protection Policy (available on its website, www.footballaustralia.com.au).

PART D: COMPLAINT HANDLING PROCEDURES

Attachment D1: COMPLAINTS PROCEDURE

All complaints will be kept confidential and will not be disclosed to another person without the Complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

Depending on the nature of the complaint, individuals and organisations may also pursue their complaint externally under anti-discrimination, child protection or other relevant legislation.

If you wish to remain anonymous, FQ may have difficulty assisting you to resolve your complaint. Procedural Fairness (**Natural Justice**) means that FQ is required to provide the person/people you have complained about with full details of the complaint so they have an opportunity to be heard and/ or to respond.

INFORMAL COMPLAINTS

Step 1: Talk with the other person (where this is reasonable, safe and appropriate)

In the first instance, you (**Complainant**) should try to sort out the problem with the person or people involved (**Respondent**) if you feel able to do so.

Step 2: Contact a Member Protection Information Officer

Talk with the Queensland MPIO if:

- The first step is not possible/reasonable;
- You are not sure how to handle the problem by yourself;
- You want to talk confidentially about the problem with someone and obtain more information about what you can do; or
- The problem continues after you tried to approach the person or people involved.

The contact information for the Queensland MPIOs can be obtained from FQ. The MPIO can be contacted by emailing mpio@footballaustralia.com.au.

The Queensland MPIO will:

- Take confidential notes about your complaint;
- Try to find out the facts of the problem;
- Ask what outcome/how you want the problem resolved and if you need support;
- Provide possible options for you to resolve the problem;
- Explain how the Complaints Procedure works;
- Act as a support person if you so wish;
- Refer the complainant back to attempt to resolve the complaint directly with the other person involved, if necessary;
- Keep a written record in Attachment E1 (Record of Informal Complaint);
- Refer you to an appropriate person (e.g. Mediator) to help you resolve the problem, if necessary;
- Inform the relevant government authorities and/or police if required by law to do so;
- Maintain confidentiality.

Step 3: Outcomes from initial contact

After talking with the Queensland 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 work out your own resolution (with or without a support person such as an MPIO);
- To seek a mediated resolution with the help of a third person (such as a mediator); or
- To make a formal complaint to the MPIO on a completed and signed Attachment E2 (Record of Formal Complaint).

FORMAL COMPLAINTS

Step 4: Making a Formal complaint

If your informal complaint is not resolved or informal approaches have not resolved the complaint to the Complainant's satisfaction or are not appropriate or possible, you may:

- Make a formal complaint in writing to the Queensland MPIO; or
- Approach a relevant external agency such as an anti-discrimination commission, for advice.

On receiving a formal complaint and based on the material you have provided, the Queensland MPIO will decide whether:

- They are the most appropriate person to receive and handle the complaint;
- The nature and seriousness of the complaint warrants a formal resolution procedure;
- To refer the complaint to mediation;
- To appoint a person to **investigate** (gather more information on) the complaint;
- To refer the complaint to a hearings tribunal;
- 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 set out in these Procedures is completed.

In making the decision(s) outlined above, the Queensland MPIO will take into account:

- Whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
- Your wishes, and the wishes of the Respondent, regarding the manner in which the complaint should be handled;
- The relationship between you and the Respondent (for example 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 will be subject to further unacceptable behaviour while the complaint process is underway.

If the Queensland MPIO is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

- Put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story;
- Decide if they have enough information to determine whether the matter alleged in your complaint did or didn't happen; and/or
- Determine what, if any, further action to take. This action may include referring the matter to a Tribunal from which disciplinary action may result in accordance with this Policy.

In the event that the matter is to be dealt with by FFA and further investigation is required, FFA will appoint its general counsel, other senior manager or, if it considers it appropriate in the circumstances, an independent expert (**Investigator**) to investigate the complaint.

In the event that the matter is to be dealt with by FQ and further investigation is required, the CEO of FQ will appoint an appropriate person, whether a FQ employee or otherwise, (**Investigator**) to investigate the complaint.

Step 5: Investigation of the complaint

In accordance with Attachment D3 of this Policy, on completion of his or her investigation, the Investigator appointed under Step 4 above must provide written report to the Queensland MPIO for a determination by FQ as to what further action should be taken.

If the complaint is referred to:

- a) mediation, it will be conducted in accordance with Part D2 or as otherwise agreed by you and the Respondent and the mediation provider;
- b) a hearings Tribunal, the hearing will be conducted in accordance with the Grievance Resolution Regulations; or
- c) the police or other appropriate authority, FQ will use its best endeavours to provide all reasonable assistance required by the police or other authority.

It must be made clear to all parties that the Investigator is not seeking to resolve the matter, or to decide whether any breach of this Policy has occurred, or to impose any penalty. Any decision about Policy breach must be referred to an independent Tribunal, and wherever possible, mediations should be conducted by an independent mediator.

Any costs relating to the complaint process set out in this Policy (e.g. investigation and/or mediation and/or hearings tribunal) are to be met by FQ unless otherwise stated.

Step 6: Documenting the resolution

The Queensland MPIO will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at FQ level, the information will be stored in the FQ office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the FFA level, the documents will be stored at the FFA office with a copy stored at the FQ office.

EXTERNAL APPROACHES or COMPLAINTS

There are a range of other options available depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from your state or territory anti-discrimination commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be harassment within its jurisdiction, you may lodge a formal complaint with the commission.

Once a complaint is received by an anti-discrimination commission, it will investigate. If it appears that unlawful harassment or discrimination has occurred, the commission will conciliate the complaint confidentially. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made. The Tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred.

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

You could also approach another external agency such as the police.

Attachment D2: MEDIATION

Mediation is a process during which people in conflict are helped to communicate with each other to identify the areas of dispute and to make decisions about resolving it. This attachment outlines the general procedure of mediation that may be followed by FQ.

1. If mediation is chosen, the Queensland MPIO will, in consultation with the Complainant and the Respondent(s), arrange for a mediator.
2. The mediator's role is to assist the Complainant and Respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the Complainant and Respondent(s), will choose the procedures to be followed during the mediation. At a minimum, an agenda of issues for discussion will be prepared by the mediator.
3. The mediation will be conducted confidentially and without prejudice to the rights of the Complainant and the Respondent(s) to pursue an alternative process if the complaint is not resolved.
4. At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached which will be signed by them as their agreement.
5. If the complaint is not resolved by mediation, the Complainant may:
 - a) Write to the Queensland MPIO to make a formal complaint in accordance with **Step 4**; or
 - b) Approach an external agency such as an anti-discrimination commission.
6. Mediation will **not** be recommended if:
 - a) The Respondent has a completely different version of the events and will not deviate from these;
 - b) The Complainant or Respondent are unwilling to attempt mediation;
 - c) Due to the nature of the complaint, the relationship between the Complainant and the Respondent(s) or any other relevant factors, the complaint is not suitable for mediation; or
 - d) The matter involves proven serious allegations, regardless of the wishes of the Complainant.

Attachment D3: INVESTIGATION PROCESS

If an investigation needs to be conducted to gather more information the following steps will be followed:

1. FQ will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The Investigator will:
 - a) Interview the Complainant and record the interview in writing.
 - b) Convey full details of the complaint to the Respondent(s) so that they can respond.
 - c) Interview the Respondent to allow them to answer the complaint, and record the interview in writing.
 - d) Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
 - e) Deliver a report to FQ as to whether in their view 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); and/or
 - Mischievous, vexatious or knowingly untrue; and
 - if requested, recommend whether the matter should be referred to a Tribunal for determination as to whether there has been a breach of this Policy and any appropriate sanctions.
2. We will provide a report to the Complainant and the Respondent(s) documenting the complaint, the investigation process and summarising key points concerning the investigation.
3. The Complainant and the Respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).

Attachment D4: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. It is not the responsibility of anyone working in FQ in a paid or unpaid capacity to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns by reporting these to the appropriate authorities. The following outlines the key steps to follow. More information can be obtained from state or territory government agencies.

Step 1 – Initial Receipt of an Allegation

If a child or young person discloses an allegation involving harm or abuse to them or another child, then it is crucial that you:

- Stay calm;
- Listen, be supportive and do not challenge or undermine what the child says;
- Reassure the child that what has occurred is not the fault of the child;
- Be honest with the child and explain that other people may need to be told in order to stop what is happening;
- Ensure you are clear about what the child has said but do not elicit detailed information, ask leading questions or offer an opinion;
- Act promptly to accurately record the discussion in writing;
- Do not discuss the details with any person other than those detailed in these procedures; and
- Do not contact the alleged offender.

Step 2 – Report allegations

- Immediately report any allegation or disclosure of child abuse or situation involving a child at risk of harm, to the police and/or government child protection agency. You may need to report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the complaint should be reported (for example, the allegation may relate to poor/inappropriate practice).
- If the child's parent/s is suspected of committing the abuse, you should report the allegation to the relevant government agency.
- If the allegation involves anyone to whom our Policy applies, then also report the allegation to the Queensland MPIO so that they can manage the situation (e.g. contact the parents following advice from the authorities, deal with any media enquiries and manage steps 3 and 4).

Step 3 – Protect the child and manage the situation

- The Queensland MPIO will assess the risks and take interim action to ensure the child's/children's safety. Action FQ may implement includes redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined, however it is not the MPIO's role to undertake such actions. FQ should seek legal advice if person is in a paid employment.
- The Queensland MPIO will consider the kind of support that the children and parents may need (e.g. counselling, help lines, support groups).
- The Queensland MPIO will address the support needs of the alleged offender.
- The Queensland MPIO will also put in place measures to protect the child and the person against whom the complaint is made from victimisation and gossip. If the person is stood down, it should be made clear to any persons aware of the incident that this does not mean the respondent is guilty and a proper investigation will be undertaken.

Step 4 – Internal action

- Where there is an allegation made against a person to whom this Policy applies, there may be three types of investigations:
 - Criminal (conducted by police);
 - Child protection (conducted by child protection authority);
 - Disciplinary or misconduct (conducted by FQ)
- Irrespective of the findings of the child protection and/or police inquiries, FQ will assess the allegation to decide whether the person should be reinstated, banned, have their employment or position terminated or any other action having regard for all the information, including the findings of the police, government agency and/or court.
- If disciplinary action is to be taken, the procedures outlined in Clause 8 of the Policy will be followed.
- If disciplinary action is taken, FQ will advise and provide a report to the relevant government authority should this be required (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).

PART E: REPORTING REQUIREMENT AND DOCUMENTS

The following information was updated in September 2012. It is subject to change at any time.

1. QUEENSLAND

If you have a reason to suspect a child in Queensland is experiencing harm, or is at risk of experiencing harm, you need to contact Child Safety Services:

- During normal business hours - contact the Regional Intake Service.
- After hours and on weekends - contact the Child Safety After Hours Service Centre on 1800 177 135 or (07) 3235 9999. The service operates 24 hours a day, seven days a week.

If you believe a child is in immediate danger or in a life-threatening situation, contact the Queensland Police Service immediately by dialing **000**.

Queensland Police Service has a number of child protection and investigation units across Queensland. To contact the Queensland Police Service, contact the Police District Communication Centre nearest you.

If you aren't sure who to call, or for assistance to locate your nearest child safety service centre, contact Child Safety Services' Enquiries Unit on **1800 811 810**. Child safety service centres have professionally trained child protection staff who are skilled in dealing with information about harm or risk of harm to children.

2. OTHER STATES AND TERRITORIES

For information on reporting requirements of other states and territories, please visit the FFA National Member Protection Policy (available on its website, www.footballaustralia.com.au).

Attachment E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received: / /
Complainant's contact details	Phone: Email:	
Complainant's Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Name of person complained about (respondent)	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Respondent's Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (category/basis/grounds) Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other	
Methods (if any) of attempted informal resolution		
Formal resolution procedures followed (outline)		
If investigated: Finding -		
If went to hearing tribunal: Decision - Action recommended -		

If mediated: Date of mediation - Were both parties present - Terms of Agreement - Any other action taken -	
If went to appeals tribunal: 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: / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept in a confidential and safe place. If the complaint is of a serious nature, or is escalated to and/or dealt with at the national level, the original must be forwarded to the national body and a copy kept at the club/state/district level (whatever level the complaint was made).

Attachment E3: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Before completing, ensure the procedures outlined in attachment C4 have been followed and advice has been sought from the relevant government agency and/or police.

Complainant's Name (if other than the child)		Date Formal Complaint Received: / /
Role/status in sport		
Child's name		Age:
Child's address		
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)		
Name of person complained about		
Role/status in sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	
Government agency contacted	Who: When: Advice provided:	
CEO 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.

PART F: ROLE SPECIFIC CODES OF CONDUCT

A. FOOTBALL CODE OF CONDUCT

The National Code of Conduct applies to all Members and governs:

- a) bringing FFA or football into Disrepute, including through discriminatory behaviour, offensive behaviour and incitement of hatred or violence;
- b) liability for spectator and supporter conduct;
- c) betting, match-fixing and corruption; and
- d) disparaging public or media statements.

B. SPECTATOR CODE OF BEHAVIOUR

A spectator at a Match or otherwise involved in any activity sanctioned or staged by, or held under the auspices of FFA, FQ, a Zone or District Association or a Club must:

- a) respect the decisions of Match Officials and teach children to do the same;
- b) never ridicule or unduly scold a child for making a mistake;
- c) respect the rights, dignity and worth of every person regardless of their gender, ability, race, colour, religion, language, politics, national or ethnic origin;
- d) not use violence in any form, whether it is against other spectators, Team Officials (including coaches), Match Officials or Players;
- e) not engage in discrimination, harassment or abuse in any form, including the use of obscene or offensive language or gestures, the incitement of hatred or violence or partaking in indecent or racist chanting;
- f) comply with any terms of entry of a venue, including bag inspections, prohibited and restricted items such as flares, missiles, dangerous articles and items that have the potential to cause injury or public nuisance;
- g) not, and must not attempt to, bring into a venue national or political flags or emblems (except for the recognised national flags of any of the competing teams) or offensive or inappropriate banners, whether written in English or a foreign language;
- h) not throw missiles (including on to the field of play or at other spectators) and must not enter the field of play or its surrounds without lawful authority; and
- i) conduct themselves in a manner that enhances, rather than injures, the reputation and goodwill of FFA, FQ and football generally.

Any person who does not comply with the Spectator Code of Behaviour or who otherwise causes a disturbance may be evicted from a venue and banned from attending future Matches.