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 State President

# MEMBER PROTECTION

## Policy Statement

DrillDance Queensland is committed to treating all people with respect, dignity and fairness. These values, along with the basic right of all members to participate in an environment that is enjoyable, safe and healthy, has resulted in DrillDance Queensland developing specific objectives to create a safer and more tolerant sporting environment.

DrillDance Queensland is both ethically and legally responsible to prevent discrimination and more specifically harassment from occurring in the sport. The adoption of Policy reflects DrillDance Queensland's commitment to serving and protecting its members and participants throughout all levels of the sport. This Policy is only one component of the overall strategy and the implementation and enforcement of this Policy will require ongoing commitment from all levels of the sport.

Through working together, we can prevent discrimination and harassment and create a safe and supportive environment for all participants at all levels.

## Guiding principles

- This Policy aims to ensure the core values, good reputation, positive behaviours and attitudes of members
- This Policy assists to ensure that every person involved in DrillDance Queensland is treated with respect and dignity, and is protected from discrimination, harassment and abuse. This Policy also ensures that everyone involved in DrillDance Queensland is aware of her/his legal and ethical rights and responsibilities as well as the standards of behaviour expected of them.
- This Policy describes practical steps taken to reduce discrimination, harassment, child abuse and other forms of inappropriate behaviour from DrillDance Queensland. As part of this commitment, DrillDance Queensland will take disciplinary action against any person or organisation bound by this Policy if they breach it.

## Procedure

This Policy applies to all registered members of DrillDance Queensland.

This Policy will continue to apply to a person even after they have stopped their association with DrillDance Queensland, if disciplinary action, against that person, has already commenced.

## Definitions

Unless otherwise stated, words that are not defined in this Framework and Rules will have the same meaning as in DrillDance Queensland's Constitution.

**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 a club, howsoever described, whether incorporated, unincorporated or otherwise, which is a member of DrillDance Queensland.

**Child** - Means a person who is under the age of 18.



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**Child abuse** - Involves conduct which puts a child at risk of harm and 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 a child food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

**Coaches** - as described in DrillDance Queensland's registration

**Codes of Behaviour** – DrillDance Australia's Codes of Behaviour as amended from time to time.

**Complainant** - Means the person making a complaint.

**Complaint** - Means a complaint made

**Member Protection Officer / Grievance Officer** - Means the person appointed under this Policy to investigate a complaint.

**Conduct** - that may bring DrillDance Queensland into disrepute, or conduct that is dishonest, fraudulent, corrupt, illegal, unethical, improper, unsafe and conduct that may cause financial or reputational loss.

**Discrimination** - Occurs when someone is treated unfairly or less favourably than another person in the same or similar circumstances because of a particular personal characteristic. This is known as direct discrimination. Indirect discrimination occurs when a rule, policy or practice disadvantages one group of people in comparison with others, even though it appears to treat all people the same.

In Australia, it is against the law to discriminate against someone because of their:

- age
- disability
- family/carer responsibilities
- gender identity/transgender status
- homosexuality and sexual orientation
- irrelevant medical record
- irrelevant criminal record
- political belief/activity
- pregnancy and breastfeeding
- race
- religious belief/activity
- sex or gender
- social origin;
- trade union membership/activity.




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Examples of discrimination are available on the Play by the Rules website: [www.playbytherules.net.au/legal-stuff/discrimination](http://www.playbytherules.net.au/legal-stuff/discrimination)

Some exceptions to State/Territory and Federal anti-discrimination law apply, such as:

- holding a competitive sporting activity for boys and girls only who are under the age of 12, or of any age where strength, stamina or physique is relevant
- 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 activity.

**Harassment** - Is any type of behaviour that the other person does not want and is likely to make the person feel intimidated, insulted or humiliated. Unlawful harassment can target a person because of their race, sex, pregnancy, marital status, sexual orientation or some other personal characteristic protected by law (see the list under "Discrimination").

Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some States/Territories also prohibit public acts that

**Hearings Officer** - Means a person appointed by an organisation who is responsible for the administration of hearings.

**Individual Member** - Means a registered financial individual member

**Junior** - Means a person under the age of eighteen (18) years who is participating in an activity of the DrillDance Queensland.

**Mediator** - Means an impartial person appointed to help those people involved in a complaint to talk through the issues and resolve the matter on mutually agreeable terms.

## 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/Territory associations, other affiliated associations and the national body. Member protection

Privacy Act, 1988 (Cth) which regulates how personal information is handled.

**Respondent** - Means the person whose behaviour is the subject of the complaint.

**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, displays 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.




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**Sexual offence** - Means a criminal offence involving sexual activity or acts of indecency. Because of differences under State/Territory laws, this can include but is not limited to:

- 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

## Therapeutic Use Exemption (TUE)

An exemption for the legitimate use of a Prohibited Substance and Method granted in accordance with the International Standard for Therapeutic Use Exemptions under an applicable anti-doping policy or granted under a Rule.

**Transgender** - Is a general term 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.

**Judge / Official** - As described in the DrillDance Queensland Constitution as amended and updated from time to time.

**Victimisation** - Means subjecting a person, or threatening to subject a person, to any unfair treatment because that person has or intends to pursue their right to make any complaint, including a complaint under government legislation (e.g. anti-discrimination) or under this Policy, or for supporting another person to make complaint.

**Vilification** - Involves a person or an organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of people having any of the characteristics listed under the definition of "Discrimination".

**Young People/person** - Means people in the 13 – 18 year age group.

## Member Protection Information Officers

Member Protection Information Officers play an important role in sport. They provide information and guidance on complaints procedures - they are the 'go to' person if you want to discuss problems at your club/association, particularly if you are considering making a formal complaint.

MPIOs provide confidential, impartial and timely information and support. They act as a sounding board and provide information about the local complaint resolution options available to address the individual's concerns. MPIO's may also be called up to provide advice to club administrators or




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complaint handlers regarding the Member Protection Policy and associated laws. MPIOs are not advocates but they may elect to accompany complainants, if requested, to talk with someone else.

What DO Member Protection Information Officers do?

- Listen
- Act as an impartial support person
- Provide information about discrimination, harassment and child abuse
- Provide information about the Member Protection Policy and the options available to resolve the complaint
- Provide information about relevant laws and the right to complain externally
- Discuss possible strategies the individual can use to deal directly with the other person
- Provide contact details for counselling or other referrals as appropriate or as requested

What DON'T Member Protection Information Officers do?

- Advocate
- Take sides or judge
- Give advice
- Intervene
- Investigate
- Breach confidentiality

Key selection criteria: what qualities should an MPIO possess?

- Well-developed interpersonal and communication skills with the ability to deal effectively with people faced with difficult or sensitive issues
- An in-depth knowledge of the organisation's Member Protection policies and procedures
- A commitment to the principles of fair, safe and inclusive sport
- An understanding and demonstrated commitment to the organisation's values
- An ability to provide confidential information about a range of sensitive issues as requested
- A knowledge of a variety of conflict resolution options and the procedures available to members
- Personal integrity with the ability to treat individuals and their circumstances with respect, sensitivity

## Grievance Committee

A Committee will be set up with two representatives from DrillDance Queensland Board of Management and chaired by an independent person to the sport. This Independent Person will be known as The Chairman and have the final say on going forward with the grievance.

## Reference

©Australian Sports Commission 2000, *Play by the Rules Constitution & By Laws – DrillDance Queensland Incorporated Constitution & By Laws – DrillDance Australia DDQ10 Guidelines on the use of images of children 2015.docx*

## Contact

State Secretary

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