



**GLIDING FEDERATION OF AUSTRALIA
MEMBER PROTECTION POLICY**

ADMIN 0008

VERSION 15

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MEMBER PROTECTION POLICY

Brief Document Description: GFA Board Policy on Child Protection, Sexual Relations, Harassment and Anti-Discrimination.

Keywords: Child Protection, Harassment, Anti-Discrimination, MPIO, Dispute Procedure, Complaints Procedure, Disciplinary Procedure.

This document is issued by the Gliding Federation of Australia Inc.

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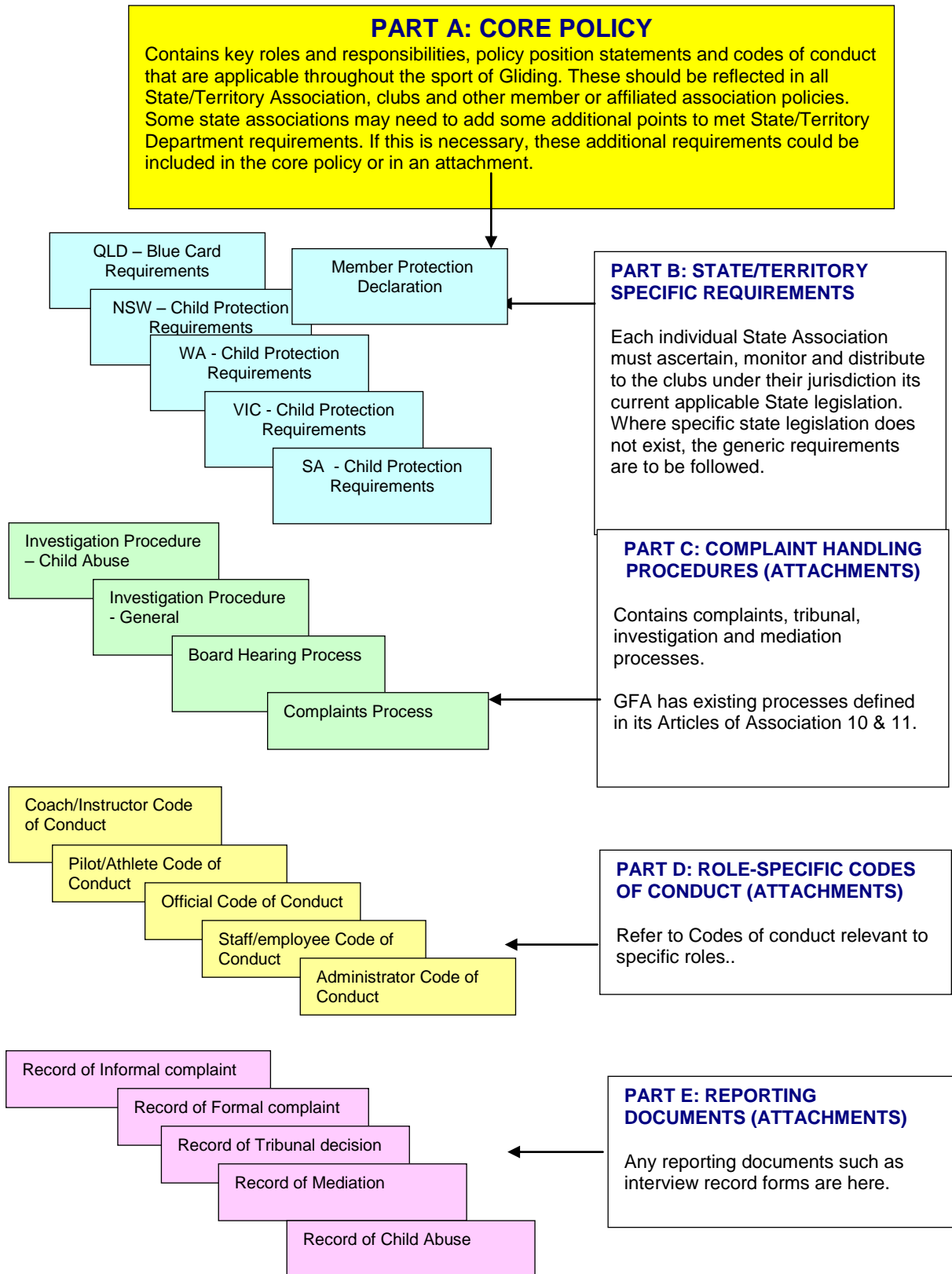
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Policy Framework



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PREFACE

Important information about this Policy

Why has the Gliding Federation of Australia adopted this Policy?

Sporting organisations have legal obligations in relation to harassment, discrimination and child protection. They also have moral obligations in relation to establishing standards of appropriate behaviour and in providing safe, respectful and appropriate sporting environments. Increasingly, insurance companies are also requiring comprehensive risk management plans that include policies and procedures for addressing harassment, discrimination and child protection.

The issue of safe, respectful sporting environments is so important that the Australian Sports Commission introduced a mandatory requirement for NSO Status, to address these issues. The funding criterion requires national sporting organisations to develop and implement policies and procedures to promote positive and respectful behaviours and to meet obligations relating to harassment, discrimination and child protection.

It is GFA's commitment to provide 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 a code of conduct forming the basis of appropriate and ethical conduct which everyone must abide by. It is an essential part of GFA's proactive and preventative approach to tackling inappropriate behaviour.

The GFA Board has a commitment to ensuring that everyone associated with the Gliding Federation of Australia complies with the policy.

In May 2006, the GFA Board reaffirmed its commitment to investigate and comply with all Commonwealth and State regulatory requirements for dealing with youth.

What else is required?

In addition to the principles and procedures outlined in this Policy, it is important that GFA also:

- Adopts thorough recruitment and selection practices for both paid and voluntary positions;
- Ensures current employees, volunteers, managers, Instructors, coaches, members and parents are made aware of the policy and are advised where to obtain a copy of the policy;
- Ensures new employees, volunteers managers, Instructors, coaches, members and parents are aware of the policy and are provided with a copy of the policy;
- Promotes the policy and procedures widely and regularly, including the requirement that everyone involved in the organisation is required to adhere to the policy and procedures;
- Ensures the policy is easily accessible (e.g. on the website or on a notice board);
- Conduct **regular** education and awareness sessions regarding the policy, its requirements and the possible consequences for breaching the policy;
- Ensure that an adequate number of people are appropriately trained to receive and handle complaints (e.g. Member Protection Information Officers and/or Administration Officers);
- Implement strategies that promote appropriate standards of conduct/behaviour;
- Ensure that complaints (grievances and allegations) are handled in accordance with the procedures provided in the policy;
- Ensure accurate records are kept in a safe and secure place;
- Take all 'reasonable steps' to prevent discrimination, harassment and child abuse from occurring in the organisation/sport; and
- The Chairman of the Sports Committee is the contact person within the organisation who is responsible for maintaining the policy and will monitor, evaluate and review the policy annually.

Signature:  Date: 23 June 2012

Position: President GFA



PART A: MEMBER PROTECTION POLICY

1. GFA's Member Protection Core Values

It is GFA's commitment to provide an environment which, free from harassment and abuse for everyone, is safe for children and promotes respectful and positive behaviour and values.

2. Purpose of this policy

This Member Protection Policy aims to ensure our core values, good reputation, positive and responsible behaviours and attitudes are maintained. It outlines our commitment to, and assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. This policy also ensures that everyone involved in our sport is aware of his or her legal and ethical rights and responsibilities and of the standards of behaviour 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. As part of this commitment, GFA will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy was endorsed by the GFA Board on the 22nd April 2007. The policy was effective on that date and will operate until replaced and includes amended versions noted previously. This policy and/or its attachments may be amended from time to time by resolution of the GFA Board. Copies of the policy and its attachments can be obtained from our website www.gfa.org.au or from the GFA Office at: Level 1/34 Somerton Road, Somerton, Victoria 3062.

Our state associations and clubs may have additional rights and responsibilities, and you should refer to the Member Protection Policy if your state or club association.

3. Who this Policy Applies To

This policy applies to the following, whether they are in a paid or unpaid/voluntary capacity:

- Individuals sitting on boards, committees and sub-committees of the GFA, State Associations, Clubs, Sub-committees and any other related entity;
- Employees and volunteers;
- Support personnel appointed or elected to teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- Pilots, coaches, officials and other personnel participating in events and activities including camps and training sessions, held or sanctioned by the GFA.
- Instructors and Coaches;
- Pilots (Athletes);
- Referees and other officials;
- Members, including life members;
- Member associations;
- Affiliated clubs and associated organisations;
- State associations and the national body;
- Any other person or organisation that is a member of or affiliated to the GFA;
- Parents, guardians, spectators, crew, media and sponsors to the full extent that is possible.

N.B. This policy will continue to apply to a person even after they have stopped their association or employment with GFA if disciplinary action, against that person, has commenced.

4. Code Of Conduct

GFA requires every individual and organisation bound by this policy to:

- 4.1 Be ethical, fair and honest in all their dealings with other people and GFA;
- 4.2 Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- 4.3 Always place the safety and welfare of people above other considerations;
- 4.4 Comply with GFA's constitution, MOSPs, rules and policies including this member protection policy;

- 4.5 Operate within the rules and spirit of the sport;
- 4.6 Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
- 4.7 Be responsible and accountable for their conduct; and
- 4.8 Abide by the relevant Role-Specific Codes of Conduct outlined in Part D of this policy.

5. Organisational Responsibilities

The Gliding Federation of Australia, affiliated clubs, associations and members, must:

- 5.1 Adopt, implement and comply with this policy;
- 5.2 Make such amendments to any Constitution, Rules or Policies necessary for this policy to be enforceable;
- 5.3 Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- 5.4 Promote appropriate standards of conduct at all times;
- 5.5 Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- 5.6 Apply this policy consistently without fear or favour;
- 5.7 Recognise and enforce any penalty imposed under this policy;
- 5.8 Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies
- 5.9 Appoint or have access to appropriately trained people to receive and handle complaints and allegations and display the names and contact details in a way that is readily accessible; and
- 5.10 Monitor and review this policy at least annually.

6. Individual Responsibilities

Individuals bound by this policy are responsible for:

- 6.1 Being accountable for their behaviour;
- 6.2 Putting the safety and welfare of children above other considerations;
- 6.3 Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- 6.4 Complying with the police check or working with children requirements of the state or territory concerned if the individual holds or applies for a role that involves working with people under the age of 18 years;
- 6.5 Complying with all decisions, disciplinary measures imposed under this policy and any other requirements of this policy
- 6.6 Co-operating in providing a sporting environment free of discrimination, child abuse and harassment;
- 6.7 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;
- 6.8 Understanding the possible consequences of breaching this policy.

7. Policy Position Statements

Child Protection Policy

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

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

GFA acknowledges that our staff and volunteers provide a valuable contribution to the positive experiences of our juniors. GFA aims to ensure this continues and to protect the safety and welfare of its junior participants. Several measures will be used to achieve this such as:

- Prohibiting any form of abuse against children and youths;
- Empower and promote the Participation of Children in Decision Making and Service Development
Providing opportunities for our juniors to contribute to and provide feedback on our program development, and maintaining child-safe environments.;
- Suitable Employees, Volunteers and Members
The GFA requires all reasonable steps be taken to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions). This may be achieved using a range of screening measures. Such measures aim to minimise the likelihood of engaging or retaining people who are unsuitable to work with children. Where required by law, working with children checks/criminal history assessments are conducted for employees, members and volunteers working with children. (Refer relevant state requirements, Screening procedures are outlined in Part B of this policy)
Supervision, support and training for volunteers, members and employees is required when working with children, or their records, such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment;
- Develop Codes of Conduct
The GFA will ensure that codes of conduct will specify standards of conduct and care when dealing with children, particularly those in the GFA care, including professional boundaries, ethical behaviour and unacceptable behaviour.;
- Providing procedures for raising concerns or complaints (our complaints procedure is outlined in Part C of this policy)
In addition to any legal obligation, if any person feels another person bound by this policy is acting inappropriately towards a child or is breaching the code of practice set out, then make an internal complaint, as outlined in the attachments of this policy.;
- Responding to all reports and complaints of abuse promptly, seriously and confidentially;
- Identify and Analyse Risk of Harm
The GFA includes the review of existing child protection practices in its risk management strategy, to determine how child-safe and child-friendly the GFA 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 member. , and
- Providing education and/or information to those involved in our sport on child abuse and child protection
Respective State laws detail responsibilities of employees, volunteers and members, if there is suspicion on reasonable grounds that a child has been or is being abused or neglected. .

GFA requires that any child who is abused or anyone who reasonably suspects that a child or youth has been or is being abused by someone within our sport, to report it immediately to the police or relevant government agency, Member Protection Information Officer or the GFA Secretary. Descriptions of the sorts of activity which may be abuse are in the Dictionary at clause 11.

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in Part C of this policy.

If anyone bound by this policy reasonably suspects that a child or youth is being abused by his or her parent/s, they are advised to contact the relevant government department for youth, family and community services in their state/territory.

Taking Images of Children

Images of children can be used inappropriately or illegally. The GFA requires that individuals and associations, clubs and other affiliated organisations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way 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 the GFA uses an image of a child it will avoid naming or identifying the child or it will, wherever possible. We will not display personal details without consent from the parent/guardian. We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitable clothed in a manner that promotes the sport, displays its successes etc and will be mindful that such images can be used inappropriately by paedophiles or other persons.

7.2 Anti-Discrimination and Harassment Policy

GFA opposes all forms of harassment, discrimination and bullying, and aims to provide a sport environment where all those involved in its activities are treated with dignity and respect, and without harassment or discrimination and bullying.

GFA recognises that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their sex, marital status, pregnancy, parental status, race, age, disability, homosexuality, sexuality, transgender, religion, political belief and/or industrial activity.

GFA prohibits all forms of harassment discrimination and bullying based on personal characteristics listed in the Dictionary. Discrimination and harassment are extremely distressing, offensive, humiliating and/or threatening and create an uncomfortable and unpleasant environment. In most circumstances discrimination and harassment are against the law.

Descriptions of some of the types of behaviour which could be regarded as harassment or discrimination are provided in the Dictionary at clause 11 and includes offensive, abusive, belittling, intimidating or threatening behaviour, whether face to face, indirectly or via technologies such as mobile phones or the internet.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in Part C of this policy. This will explain what to do about the behaviour and how the GFA will deal with the problem.

7.3 Sexual Relationships Policy

GFA takes the position that sexual interaction between coaches or instructors and adult pilots (while in the role of coach or instructor with the pilot) should be avoided. GFA takes the view that such interaction, while not necessarily unlawful, can have harmful effects on the individual involved, on other pilots and coaches, and on the sport's public image. Sexual interaction that occurs between an pilot and a person instructing or coaching them often is exploitative, even if this is not intentional, because of the disparity between coaches and pilots in terms of authority, power, maturity, status and dependence. GFA's policy on this is similar to other organisations who disallow professionals such as teachers, doctors and counsellors to have sexual relationships with their clients or students.

The intention of this policy is to deter coaches or instructors from exploitative sexual intimacy with pilots while in their coaching/instructional role, not from the development of friendships and relationships that might naturally occur over time quite apart from the simple instructor/coach student role. Should there be sexual interaction between an pilot and coach, GFA will investigate and determine if the behavior is inappropriate. Action may be taken to stop the coach or instructor from coaching or instructing that pilot.

In the event that a pilot attempts to initiate sexual intimacy, the instructor/coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. The instructor/coach may wish to approach a GFA Member Protection Information Officer if they feel harassed.

The law is always the minimum standard for behaviour within GFA and therefore sex with a child is a criminal offence.

7.4 Pregnancy

Pregnant women must be treated with dignity and respect, and any unreasonable barriers to participation by them should be removed. The GFA will not tolerate any discrimination or

harassment against pregnant women.

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 about the way they participate in our sport.

The GFA recommends that pregnant women wanting to participate in our sport consult with their medical advisors, make themselves aware of the facts about pregnancy in sports and ensure that they make informed decisions about participation. The GFA may require women to provide a doctors certificate in some circumstances where it is reasonable to do so.

7.5 Gender Identity

The GFA recognises that the exclusion of transgender people from participation in sporting events and activities has significant implications for their health, well-being and involvement in community life. The GFA will facilitate transgender persons participating in our sport with the gender, which they identify. Transgender people must be treated fairly, and with respect and dignity. The GFA will not tolerate any discrimination or harassment against transgender or transsexual people.

7.6 Alcohol Policy

The GFA recommends that State Associations and their member Clubs adhere to strict guidelines regarding the responsible consumption of alcohol. Generally, alcohol should not be available nor be consumed at a sporting event at which children under 18 are participants in the sport. Responsible service and consumption of alcohol should apply to any alcohol to be consumed after the competition has concluded, including light alcohol and soft drinks always being available; wherever possible, food being available to be consumed when alcohol is available; 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>.

7.8 Smoking Policy

The following policies should be applied to sporting and social events:

- No smoking shall occur at or near any sporting event or competition involving persons under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers;
- Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas

7.9 Cyber Safety

Bullying and harassment in all forms is regarded by the GFA 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 or facebook, 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.

The GFA acknowledges the emergence of new technology and communication mediums (new media), and wishes to enable such new media to be used to benefit the sport and its participants, and to applaud achievements. This can occur due to the immediate nature of communication to a wide audience using channels such as facebook, twitter, and SMS. However, participants within the sport need to be very mindful of a few key matters that could lead to inappropriate use of new media, at times unintended, and at other times without a proper understanding that once comments are made or published, they are in public for a long time, and hard to take back (retract):

- Do not include personal information of yourself or others in social media channels;
- Do not use offensive, provocative or hateful language;

- 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);
- Always ask for a person's permission before posting their picture on a social networking forum;
- Never comment on rumours, do not deny or affirm them or speculate about rumours; and
- Always use social network forums to add value and promote the sport in a positive way.

7.10 Other relevant policies

Other GFA relevant policies can be found at the GFA Website: <http://www.gfa.org.au> . Some of the policies which contribute to the welfare of all those involved in our activities include

- Privacy Policy
- Anti-doping Policy

8. Complaints Procedures

8.1 Complaints

GFA aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy. A complaint should be reported to the Member Protection Information Officer or the GFA Executive Officer.

The most local 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:

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

Matters that relate to or occur at the national level, or the cases referred from state or club level should be handled by the GFA nationally.

A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the Member Protection Information Officer/GFA Executive Officer considers that the complaint falls outside the parameters of this policy and would be better dealt with another way.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in Part C of this policy.

8.2 Vexatious Complaints & Victimisation

GFA aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the GFA Executive Officer considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the GFA Board for appropriate action which may include disciplinary action against the complainant.

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

8.3 Mediation

GFA aims to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for

disciplinary action. Mediation allows those involved to be heard and to come up with mutually agreed solutions. The people involved in a formal complaint - the complainant and the person complained about (respondent) - may also seek the assistance of a neutral third person or a mediator. Lawyers are not able to negotiate on behalf of the complainant and/or respondent.

Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the GFA Executive Officer will, in consultation with the complainant, arrange for a mediator to mediate the complaint. More information on the mediation process is outlined in Part C of this policy.

8.4 Board Hearings

A Board hearing may be formed to hear a formal complaint that has been referred a State Association, Club or by the GFA Executive Officer for an alleged breach of the policy. Our Board hearings procedure is outlined in Part C of this policy.

A respondent may lodge one appeal only to an appeal group in respect of a decision of a Board hearing. The decision of the appeal group is final and binding on the people involved to the appeal. Our appeals process is outlined in Part C of this policy.

Every organisation bound by this policy will recognise and enforce any decision made, and form of discipline imposed, by an appeals group under this policy. Members of hearing and appeal tribunals will be indemnified by the organisation that appointed them against any claim for loss, compensation or damages, and for costs incurred defending a claim made against them, because of their function as a member of a hearings or appeals tribunal.

9. 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 have been found to have breached this policy, including by not limited to::

- 9.1 Done anything contrary to this policy;
- 9.2 Breached the Code of Conduct and Role-Specific Codes of Conduct;
- 9.3 Brought the sport and/or the GFA into disrepute;
- 9.4 Failed to follow GFA policies and procedures for the protection, safety and welfare of children/youths;
- 9.5 Appointed or continued to appoint a person to a role that involves working with children and young people contrary to this policy;
- 9.6 Discriminated against, bullied or harassed any person;
- 9.7 Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 9.8 Victimised another person for reporting a complaint;
- 9.9 Engaged in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;
- 9.10 Disclosed to any unauthorised person or organisation any GFA information that is of a private, confidential or privileged nature except as required by law;
- 9.11 Made a complaint they **knew** to be untrue, vexatious, malicious or improper;
- 9.12 Failed to comply with a penalty imposed after a finding that the individual or organisation has breached this policy;
- 9.13 Failed to comply with a direction given to the individual or organisation during the discipline process.

10. Forms of Discipline

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include making a verbal or written apology, paying a fine, being suspended or de-registered or having a person's appointment or employment terminated. State, Club or Affiliated Associations may be fined, suspended, de-affiliated, directed to make an apology, prohibited from holding sanctioned events or any other form of reasonable disciplinary action as deemed appropriate. More information on the range of disciplinary measures and the factors that will be considered before imposing discipline is at Part C of this policy.

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

- Nature and seriousness of the breach;
- If the person knew or should have known that the behaviour was a breach;
- Level of contrition;
- The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;
- If there have been relevant prior warnings or disciplinary action;
- Any other mitigating circumstances

11. Dictionary

This Dictionary sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. State/Territory specific definitions and more detail on some of the words in this dictionary can be sourced from the relevant State/Territory child protection commissions or equal opportunity and anti-discrimination commissions.

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

Affiliated club means any group of Members of the Association or other organisation, formed for the purpose of conducting gliding operations or activities associated therewith and accepted as a club by the Region to which the club is affiliated.

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

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

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

Complaint means a complaint made under Part C of this policy.

Complainant means the person making a complaint.

Discrimination means treating or proposing to treat someone less favourably than someone else because of a particular characteristic in the same or similar circumstances in certain areas of public life (this is Direct Discrimination). The law also covers **Indirect Discrimination**. This is imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics. The characteristics covered by discrimination law across Australia are:

- 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.

Some States and Territories include additional characteristics such as physical features or association with a person with one or more of the characteristics listed above.

Examples of Discrimination

Age: A club refuses to allow an older person to coach a group of pilots simply because of their age.

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

Disability: A member with a mild limb defect is prevented from solo.

Gender Identity: a transgender member is harassed when others refuse to call her by her female name.

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

Homosexuality: An pilot is ostracised from his club after he tells another member that he is a homosexual.

Marital Status: A player deliberately excluded from club activities and social functions because she is single.

Pregnancy: a woman is prevented from flying when she becomes pregnant (subject to normal health practices and doctors permission where appropriate).

Race: A Japanese-born pilot is deliberately excluded from club activities and social functions because of his race.

Sex: Specialist coaching is only offered to male pilots in a mixed club.

GFA Executive Officer From time to time the GFA Board/Executive will employ an Executive Officer, Administration Officer or other person (regardless of the official title this position is given) to support the Executive and be responsible for the day to day functioning of the GFA Office

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

Unlawful harassment includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexuality or other characteristic (see characteristic list under discrimination).

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 or repeated. It may be explicit or implicit, verbal or non-verbal.

Under this policy discrimination and harassment are not permitted in employment (including volunteer and unpaid employment); when providing sporting goods and services including access to sporting facilities; when providing education and accommodation; the selection or otherwise of any person for a course, 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:

- holding a competitive sporting activity for females only who are 12 years of age or over where strength, stamina or physique is relevant or

- 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 sporting activity.

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

1. It is also against 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 to another club official or for supporting another player who has made such a complaint.
2. Public acts of racial hatred which are reasonably likely in the circumstances to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see vilification.

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

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

Member means a natural person and includes all forms of membership of the association.

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, instructors, coaches and officials, and the member organisations such as clubs, state associations, other affiliated associations and the national body. Member protection involves:

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

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. The MPIO provides confidential information and moral support to the person with the concern or who is alleging harassment or a breach of this policy. They help the complainant deal with any emotions they may have about what has happened and operate as a sounding board as the complainant decides what they want to do. The MPIO may accompany the complainant in anything they decide to do, if it feels appropriate and they are happy to do it.

Natural justice (procedural fairness) incorporates the following principles:

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

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

Policy and this policy mean this Member Protection Policy.

Respondent means the person who is being complained about.

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

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

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

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

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

- Rape
- Indecent assault
- Sexual assault
- Assault with intent to have sexual intercourse
- Incest
- Sexual penetration of child under the age of 16
- Indecent act with child under the age of 16
- Sexual relationship with child under the age of 16
- Sexual offences against people with impaired mental functioning
- Abduction and detention
- Procuring sexual penetration by threats or fraud
- Procuring sexual penetration of child under the age of 16
- Bestiality
- Soliciting acts of sexual penetration or indecent acts
- Promoting or engaging in acts of child prostitution
- Obtaining benefits from child prostitution
- Possession of child pornography
- Publishing child pornography and indecent articles.

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 and specific form of sexual orientation.

Victimisation means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under government legislation (e.g. anti-discrimination) or under this policy, or for supporting another person to make a complaint.

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.

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

PART B: The Gliding Federation of Australia's CHILD PROTECTION REQUIREMENTS

Background

Child Protection is about keeping children safe from abuse and protecting them from people who are unsuitable to work with children. Child abuse is illegal in all states and territories of Australia, with each having their own child protection laws that cover the reporting and investigation of cases of child abuse.

It is the responsibility of all people and organisations bound by this policy to ensure full compliance with child protection legislation applicable to the state or territory within which child related activity is undertaken.

The minimum standard required by this policy is set out in Attachment B2 which applies if the relevant state or territory requirements are below this standard. If the state or territory requirements exceed the standard set out in B2 then compliance with that requirement satisfies compliance with this policy.

The legislative requirements of the various states and territories can be found by contacting the relevant department responsible for justice, the police department or government agency responsible for child protection. An internet search should achieve quick results.

Members should be aware that state and territory child protection requirements may apply to individuals and organisations originating outside of the states with the legislation in place. For example, if one of our state associations or affiliated clubs takes juniors into New South Wales for training camps, competition or other activities, those traveling with the teams must comply with the NSW legislative requirements. Similarly a coach traveling from Queensland to undertake activities involving children in Victoria must comply with Victorian legislation. This may not involve having to complete a full check as some states and territories have provision for an exemption for short term visitors. A check of the requirements in each case will be necessary.

Please note that the state specific child protection requirements apply despite the existence or absence of our Member Protection Policy.

As part of GFA's commitment to protecting the safety and welfare of children and young people involved in GFA activities, GFA requires the following measures to be met.

- Provide opportunities for juniors to contribute to and provide feedback on program development;
- Provide education and/or information on child abuse and child protection to those involved in our sport such as coaches, juniors, parents and officials; and
- Where applicable meet the requirements outlined in:
 - B1. Screening Requirements for people residing in Tasmania and the Australian Capital Territory
 - B2. Member Protection Declaration

Attachment B1: SCREENING REQUIREMENTS for states/territories without Working With Children Checks such as ACT and Tasmania

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

The GFA 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 B3) 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 or acceptable equivalent.
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 B2: GFA MEMBER PROTECTION DECLARATION

The GFA has a duty of care to all those associated with the sport at the national level and to the individuals and organisations to whom the GFA Member Protection Policy applies. As a requirement of the GFA Member Protection Policy, the GFA must enquire into the background of those who undertake any paid or voluntary 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, narcotics 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, narcotics 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 the GFA may consider to constitute a risk to its members, employees, volunteers, pilots or reputation by engaging me.
7. I will notify the President 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 State/Territory of

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:

PART C: PROCEDURES

To ensure due process, consistency and that the principles of natural justice are followed in all aspects of handling or conducting complaints, allegations, investigations, tribunals and disciplinary measures, the *GFA* will follow and implement the following procedures:

- C1 Complaints Procedure**
- C2 Mediation Procedure**
- C3 Investigation Procedure**
- C4 Investigation Procedure for allegations of child abuse**
- C5 GFA Board Complaint Hearings & Appeals Procedure**
- C6 Disciplinary Measures**
- C7 Extract from GFA Articles of Association**

Attachment C1: COMPLAINTS PROCEDURE

A complaint can be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy. Complaints will always vary. They may be about individual or group behaviour; they may be extremely serious or relatively minor; they may be about a single incident or a series of incidents; and the person about who the allegation is made may admit to the allegations or emphatically deny them.

Given all of the variables that can arise, GFA provides a step-by-step complaint procedure that people may use/enter at any stage. Individuals and organisations to which this policy applies may also pursue their complaint externally under anti-discrimination, child-protection or other relevant legislation.

If at any point in the complaint process the GFA Executive Officer considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter will be referred to the GFA Board for appropriate action. 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.

Step 1 Talk with the Other Person (where this is reasonable and appropriate)

As a first step you (the complainant) should try to sort out the problem with the person or people involved if you feel able to do so.

Step 2 Contact a Member Protection Information Officer

If:

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

talk with one of our Member Protection Information Officers (*MPIOs*) or the GFA Executive Officer.

A list of MPIOs can be found on the GFA Website or on application to:

The GFA Secretary,
Level1/34 Somerton Road,
Somerton,
Vic 3062
Australia
Ph: 03 9303 7805
Fax: 03 9303 7960
secretary@sec.gfa.org.au

The MPIO will:

- take notes about your complaint (which the MPIO will keep in a secure and confidential place);
- try to sort 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 our complaints procedure works;
- act as a support person if you so wish;
- refer you to an appropriate person to help you resolve the problem, if necessary;
- inform the relevant government authorities and/or police if required by law to do so; and
- maintain strict confidentiality.

Step 3 Outcomes from Step 2

After talking with the MPIO you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;
- to try and work out your own resolution (with or without a support person such as a MPIO); or

- to seek an informal mediated resolution with the help of a third person (such as a mediator or a Head of Department).

If you wish to remain anonymous, the GFA can't assist you to resolve your complaint. We have to follow the principles of natural justice and be fair to both sides. This means that the GFA or you may be required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond to all the allegations.

Step 4 Making a Formal Complaint

If your complaint is not resolved to your satisfaction, you may:

- make a formal complaint in writing to the GFA Executive Officer ; or
- approach a relevant external agency such as an equal opportunity commission, for advice.

Step 5 Receiving a Formal Complaint

If you decide to make a formal complaint in writing under Step 4, the GFA Executive Officer will, on receiving the formal complaint and based on the material you have provided, 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. Some complaints may be of a minor and/or purely personal nature with no connection to the activities of the GFA. In these cases, the GFA Executive Officer may determine that the complaint does not warrant a formal resolution procedure;
- to appoint a person to investigate the complaint;
- to refer the complaint to an informal or formal mediation session;
- to refer the complaint to a Board hearing;
- to refer the matter to the police or other appropriate authority; and/or
- to implement any interim administrative or other arrangements that will apply until the complaint process set out in these Procedures is completed.

In making the decision(s) outlined above, the GFA Executive Officer will take into account:

- whether they have had any personal involvement in the circumstances giving rise to the complaint and, if so, whether their ability to impartially manage the complaint is compromised or may appear to be compromised;
- whether, due to the nature of the complaint, specific expertise or experience may be required to manage the complaint;
- your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- whether, due to the nature of the complaint, the relationship between you and the respondent and any other relevant factors, the complaint should be referred (or should not be referred) to informal or formal mediation or to a hearings tribunal. Relevant factors may include an actual or perceived power imbalance between you and the respondent, the nature of any ongoing working relationship between you and the respondent, and the personal attributes of you and the respondent (for example, if one party does not speak English fluently, some of the possible complaints resolution mechanisms may not be appropriate);
- the nature and sensitivity of any information or other material that must be provided by you, the respondent, and any of the other people involved in the complaint;
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the likelihood and the consequences (if the complaint is ultimately proven) that you will be subject to further unacceptable behaviour while the complaint process set out in these Procedures is being conducted.

If the GFA Executive Officer is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

- get full information from you (the complainant) about your complaint and how you want it resolved (if this information has not already been obtained through earlier steps);

- 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 whether 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 disciplinary action in accordance with Attachment C6, appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session or a hearings tribunal and/or referring the complaint to the police or other appropriate authority.

Step 6 Investigation of Complaint

If:

- a person is appointed to investigate the complaint under **Step 5**, the investigator will conduct the investigation and provide a written report to the GFA Executive Officer who will determine what, if any, further action to take. This action may include a direction to the investigator to make further enquiries and obtain additional information, disciplinary action in accordance with Attachment C6, and referring the complaint to an informal or a formal mediation session, a Board hearing and/or the police or other appropriate authority;
- the complaint is referred to an informal or a formal mediation session under **Step 5**, the mediation session will be conducted in accordance with Attachment C2 or as otherwise agreed by you and the respondent;
- the complaint is referred to a hearings tribunal under **Step 5**, the hearing will be conducted in accordance with Attachment C5;
- the complaint is referred to the police or other appropriate authority under **Step 5**, the GFA will use its best endeavours to provide all reasonable assistance lawfully required by the police or other appropriate authority; and
- interim administrative or other arrangements are implemented under **Step 5**, the GFA will periodically review these arrangements to ensure that they are effective.

Any costs relating to the complaint process set out in this Policy (e.g. investigation and/or mediation and/or hearings) are to be met by the . GFA unless the GFA determines that it is appropriate that the individual, 'defendant', club, state or affiliated association should be meet the costs and the GFA will advise if this is the case.

Step 7 Appeals

If, under **Step 6**, an informal or formal mediation session is conducted, and you and the respondent(s) can not reach a mutually acceptable mediated solution to the complaint, you may request that the GFA Executive Officer reconsider the complaint in accordance with **Step 5**.

You or the respondent(s) may be entitled to appeal where:

- under **Step 5**, a decision was made by the GFA Executive Officer
 - not to take any action; or
 - to take disciplinary action; or
- under **Step 6**, a decision was made by a Board hearing:
 - not to take any action; or
 - to take disciplinary action.

The grounds for appeal and the process for appeals under this Policy are set out in Attachment [C5].

If the internal complaints processes set out in this Policy do not achieve a satisfactory resolution/outcome for you, or if you believe it would be impossible to get an impartial resolution within

GFA, you may choose to approach an external agency such as an equal opportunity commission to assist with a resolution.

Step 8 Documentation

The GFA Executive Officer will document the complaint, the process followed and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a state/district level, the information will be stored in the state association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the national level, the original document will be stored at the national office with a copy stored at the state office.

External procedure

There may be a range of external options available to you 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 equal opportunity commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be a type of harassment that comes within its jurisdiction, you may then make a decision as to whether or not to lodge a formal complaint with the commission.

Once a complaint is received by an anti-discrimination commission, an investigation will be conducted. If it appears that unlawful harassment or discrimination has occurred, there will usually be an attempt to conciliate the complaint confidentially first. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made as to whether unlawful harassment or discrimination occurred. 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.

An anti-discrimination commission can decline to investigate a complaint, or dismiss a complaint at any point in the investigation, conciliation or public hearing stages.

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

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

Attachment C2: MEDIATION

Mediation is a process by which people who are in conflict can be helped to communicate with each other about what is important for them and how to make decisions about resolving their dispute. Mediators provide a supportive atmosphere and method of talking to one another, to assist in sorting out the issues, coming up with acceptable solutions and making mutually satisfactory agreements.

This attachment outlines the general procedure of mediation that will be followed by GFA.

1. The people involved in a formal complaint (complainant and respondent(s)) may work out their own resolution of the complaint or seek the assistance of a neutral third person or a mediator. Mediation may occur either before or after an investigation of the complaint.
2. Mediation (getting those involved to come to a joint agreement about how the complaint should be resolved) will only be recommended:
 - a. After the complainant and respondent have had their chance to tell their version of events to the GFA Executive Officer on their own; *and*
 - b. The GFA Executive Officer does not believe that any of the allegations warrant any form of disciplinary action - proven serious allegations will not be mediated, no matter what the complainant desires; *and*
 - c. Mediation looks like it will work (i.e. the versions given by the complainant and respondent tally or almost tally and/or at the very least, it looks as though it will be possible for each party to understand the other party's point of view).
3. Mediation will **not** be recommended if:
 - a. The respondent has a completely different version of the events and they won't deviate from these;
 - b. The complainant or respondent are unwilling to attempt mediation; or
 - c. Due to the nature of the complaint, the relationship between you and the respondent(s) and any other relevant factors, the complaint is not suitable for mediation.
4. If mediation is chosen to try and resolve the complaint, the GFA Executive Officer will, under the direction of the GFA Board and in consultation with the complainant and the respondent(s), arrange for a mediator to mediate the complaint.
5. The GFA Executive Officer will notify the respondent(s) that a formal complaint has been made, provide them with details of the complaint and notify them the GFA Board has decided to refer the matter to mediation to resolve the complaint.
6. 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.
7. 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.
8. At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached between the complainant and respondent(s) and it will be signed by them as their agreement.
9. If the formal complaint is not resolved by mediation, the complainant may:
 - a. Write to the GFA Executive Officer to request that the GFA Executive Officer reconsider the complaint in accordance with **Step 5**; *or*
 - b. Approach an external agency such as an anti-discrimination commission.

Attachment C3: INVESTIGATION PROCESS

If an investigation needs to be conducted the following steps are to be followed:

1. A written brief will be provided to the investigator to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.
2. The complainant will be interviewed and the complaint documented in writing.
3. The details of the complaint will be conveyed to the person/people complained about (respondent(s)) in full. The respondent(s) must be given sufficient information to enable them to properly respond to the complaint.
4. The respondent(s) will be interviewed and given the opportunity to respond. The respondent(s) response to the complaint will be documented in writing.
5. If there is a dispute over the facts, then statements from witnesses and other relevant evidence will be obtained to assist in a determination.
6. The investigator will make a finding as to whether the complaint is:
 - substantiated (there is sufficient evidence to support the complaint);
 - inconclusive (there is insufficient evidence either way);
 - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - mischievous, vexatious or knowingly untrue.
7. A report documenting the complaint, investigation process, evidence, finding and, if requested, recommendations, will be given to the GFA Executive Officer.
8. A report documenting the complaint and summarising the investigation process and key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous will be provided to the complainant and the respondent(s).
9. Both the complainant and the respondent(s) are entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).
10. The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Information on our appeals process is in Attachment [C5].

More detailed information on conducting internal investigations can be found at http://www.ausport.gov.au/_data/assets/pdf_file/0014/132260/Complaints_Flow_Chart.pdf

Attachment C4: INVESTIGATION PROCEDURE - CHILD ABUSE

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. The initial response to a complaint that a child has allegedly been abused should be immediate if the incident/s are serious or criminal in nature while less serious/urgent allegations should be actioned as soon as possible, preferably within 24 hours.

The following is a basic outline of the key processes to follow. More information can be obtained from your relevant State or Territory government agency.

Step 1 - Clarify basic details of the allegation

- Any complaints, concerns or allegations of child abuse should be made or referred to a MPIO or the GFA Executive Officer .
- The initial response of the person that receives the complaint from the child (or person on behalf of the child) is crucial to the well-being of the child. It is important for the person receiving the information to:
 - Listen to, be supportive and do not dispute what the child says;
 - Reassure the child that what has occurred is not the fault of the child;
 - Ensure the child is safe;
 - Be honest with the child and explain that other people may need to be told in order to stop what is happening; and
 - Ensure that what the child says is quite clear but do not elicit detailed information about the abuse. You should avoid suggestive or leading questions.
 - Act promptly to accurately record the discussion in writing.
 - Do NOT discuss the details with any other person other than those detailed in these procedures and
 - DO NOT CONTACT the alleged offender.
- The person receiving the complaint should obtain and clarify basic details (if possible) such as:
 - Child's name, age and address;
 - Person's reason for suspecting abuse (observation, injury or other); and
 - Names and contact details of all people involved, including witnesses.

Step 2 – Report allegations of a serious or criminal nature

- Any individual or organisation to which this policy applies, **should immediately report any incident of a serious or a criminal nature to the police and other appropriate authority.**
- If the allegation involves a child at risk of harm, the incident should immediately be reported to the police or other appropriate government agency. You may need to report to both the police and the relevant government agency.
- The relevant State or Territory authority should be contacted for advice if there is **any** doubt about whether the complaint should be reported.
- If the child's parent/s are suspected of committing the abuse, report the allegation to the relevant government agency.

Step 3 – Protect the child

- The MPIO or the GFA Executive Officer should assess the risks and take interim action to ensure the child's/children's safety. Some options that the GFA could implement include 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.
- *Please be aware it is not the MPIO's role to actually undertake action such as redeploying someone – an MPIO should only recommend possible actions.*
- The MPIO or the GFA Executive Officer should also address the support needs of the person against whom the complaint is made. Supervision of the person should ideally occur with the knowledge of the person. If stood down, it should be made clear to all parties that are aware of the incident that this does not mean the person is guilty and a proper investigation still needs to be undertaken.

Step 4 – Further clarify and investigate allegation

- Seek advice from the police and relevant government agency as to whether the GFA should carry out its own internal investigation (in addition to or in conjunction with any police or relevant government agency investigation).
- If the police and/or relevant government agency advises that it is appropriate, then appoint an independent person (where possible) with appropriate expertise to conduct an investigation. The investigator should:
 - Contact the parents/carers of the child at an appropriate time and as directed by the police or relevant government agency.
 - If appropriate, meet with parents/carers and the child to clarify the incident and offer support on behalf of GFA if required (example, professional counselling).
 - Meet with the person against whom the allegation refers at an appropriate time and as directed by the relevant authority and give the person an opportunity to explain or respond to the allegation and identify any witnesses and supporting evidence. The person should have an opportunity to invite a support person/adviser to attend at a meeting and should be offered support (example, professional counselling) if necessary.
 - Obtain a signed statement and record of interview from the person.
 - Make contact with any witnesses and obtain written and signed statements outlining details of the allegation (what happened, when, how). This should only occur following advice from the relevant authority.
 - Obtain other information that could assist in making a decision on the allegation.
- The information collected during the investigation should be made available to the relevant authorities.
- Strict confidentiality, impartiality, fairness and due process must be maintained at all times.

Step 5 – Record and analyse all information

- If an internal investigation was conducted under **Step 4**, the investigator will provide a report to the GFA Executive Officer.
- The GFA Executive Officer will report the matter to the GFA Board.
- The decision-maker(s) will be the GFA Board and will remain separate and at arm's length from the investigator.
- The GFA Board will consider all the information and determine a finding. It will also recommend action and its rationale for the action.

Step 6 – Undertake disciplinary action

- For incidents of a serious or criminal nature, consideration must be given to the findings of the police and/or the government agency before making a decision on disciplinary proceedings.
- If disciplinary action is to be taken, follow the procedures outlined in Attachment [C6] of the policy.
- Implement any disciplinary decision recommended by the GFA Board. The action should be immediate.
- Check with the relevant state government authority to see if you need to forward a report (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).
- Complete the report form in Part E of this policy. Retain the original in a secure place and forward a copy to the GFA Executive Officer.

Attachment C5: GFA BOARD COMPLAINT HEARINGS & APPEALS PROCEDURE

- The following Board Hearing Procedure will be followed by hearings established by the GFA.

Tribunal Formation and Notification

1. A Board meeting will be constituted following the rules outlined in GFA 's Articles of Association, to hear a complaint that has been referred to it by the GFA Executive Officer.
2. The GFA Executive Officer will organise for a Board Meeting to be convened by notifying all Board members that they are required to hear a complaint. The Board members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the GFA Executive Officer relating to the complaint/allegations.
3. The Board Meeting will be scheduled as soon as practicable, but must allow adequate time for the person being complained about (respondent(s)) to prepare to respond to the complaint.
4. The number of Board members required to be present throughout the complaint hearing process will be sixty percent of the voting members.
 - 4.1 The Board will not include any person who has any actual or perceived conflict of interest, preconceived opinions, vested interests or personal involvement relating to the complaint.
 - 4.2 The Board will comprise at least one person who has knowledge, and preferably experience, of any relevant laws relating to the complaint (e.g. anti-harassment).
 - 4.3 If a member of the Board cannot continue once the Board has commenced, and the minimum number required for the hearing is still maintained, the discontinuing member will not be replaced.
 - 4.4 If the specific or minimum number is not maintained, the discontinuing member may be replaced if it is considered appropriate by the President. Factors to consider should include the circumstances of the complaint and the ability of the new Board member to be reasonably and impartially informed of the hearing evidence up until the time of their appointment. If the President believes it is not appropriate for a new Board member to be appointed then the Board meeting will be rescheduled to a later date. The President will inform the GFA Executive Officer of the need to reschedule, and the GFA Executive Officer will organise for the hearing, with a new Board meeting to be reconvened.
5. The GFA Executive Officer will inform the respondent(s) by written notification that a GFA Board Meeting will take place. The written notification will outline:
 - That the person has a right to appear at the hearing to defend the complaint/allegation;
 - Details of the complaint, including any relevant rules or regulations they are accused of breaching (if there is more than one complaint these should be set out separately);
 - The date, time and venue of the hearing;
 - That they can make either verbal or written submissions to the Board;
 - That they may arrange for witnesses to attend the Board in support of their position;
 - An outline of any possible penalties that may be imposed if the complaint is found to be true; and
 - That legal representation will not be allowed. If the respondent is considered a minor, they should have a parent or guardian present.

A copy of any information / documents that have been given to the Board (eg investigation report findings) will also be provided to the respondent.

The respondent(s) will be allowed to participate in all GFA activities and events, pending the decision of the Board Meeting, including any available appeal process, unless the GFA Executive Officer believes it is warranted to exclude the respondent(s) from all or some GFA activities and events, after considering the nature of the complaint.

6. The GFA Executive Officer will inform the person making the complaint (complainant) by written notification that a hearing will take place. The written notification will outline:
 - That the person has a right to appear at the hearing to support their complaint;
 - Details of the complaint, including any relevant rules or regulations they are accused of breaching (if there is more than one complaint these should be set out separately);
 - The date, time and venue of the tribunal hearing;
 - That they can make either verbal or written submissions to the Board;
 - That they may arrange for witnesses to attend the Board in support of their position; and
 - That legal representation will not be allowed. If complainant is considered a minor, they should have a parent or guardian present.
7. A copy of any information / documents that have been given to the Board (eg investigation report findings) will also be provided to the complainant.
8. If the complainant believes the details of the complaint are incorrect or insufficient they should inform the GFA Executive Officer as soon as possible so that the respondent and the Board members can be properly informed of the complaint.

Board Meeting Complaints Hearing Procedure

9. The following people will be allowed to attend the Board Meeting:
 1. The Board members;
 2. The GFA Executive Officer as recording officer;
 3. The respondent(s);
 4. The complainant;
 5. Any witnesses called by the respondent;
 6. Any witnesses called by the complainant;
 7. Any parent / guardian or support person required to support the respondent or the complainant.
10. The President will call the hearing to order at the designated time and determine if the respondent(s) is present.
11. If the respondent(s) is not present and the President considers that no valid reason has been presented for their absence, the hearing will continue subject to the President being satisfied that all Board notification requirements have been carried out correctly.
12. If the President considers that a valid reason for the non-attendance of the respondent(s) is presented, or the President does not believe the Board notification requirements have been carried out correctly, then the hearing will be rescheduled to a later date.
13. The President will inform the GFA Executive Officer of the need to reschedule, and the GFA Executive Officer will organise for the Board to be reconvened.
14. The President will read out the complaint that is to be judged, ask the respondent(s) if they understand the complaint being made against them, and if they agree or disagree with the complaint.
15. If the person agrees with the complaint, they will be asked to provide any evidence or witnesses that should be considered by the Board when determining any disciplinary measures under Article 10 of the Articles of Association.
16. If the person disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Brief notes may be referred to.
 - The complainant will be allowed to call witnesses.
 - The respondent(s) may be allowed to question the complainant and their witnesses.
17. The respondent(s) will then be asked to respond to the complaint.
 - Brief notes may be referred to.
 - The respondent will be allowed to call witnesses.

- The complainant may be allowed to ask questions of the respondent and their witnesses.
18. Both the complainant and respondent will be allowed to be present when evidence is presented to the Board. Witnesses may be asked to wait outside the hearing until required.
 19. The Board will be allowed to:
 - consider any evidence, and in any form, that it deems relevant.
 - question any person giving evidence.
 - limit the number of witnesses presented if it is agreed by all parties that they will support the person who requested them, but will not provide any new evidence.
 20. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
 21. If the Board considers that at any time during the hearing that there is any unreasonable or intimidatory behaviour from anyone allowed to be present, the President shall have the power to stop any further involvement of the person in the hearing.
 22. After all of the evidence has been presented the Board will make its decision in private. If the Board believes the complaint has been substantiated on the balance of probabilities (i.e. more probable than not), the respondent will then be given an opportunity to address the Board and make a submission on any disciplinary measures that may be imposed. Only those disciplinary measures outlined in the Articles of Association will be considered. Any disciplinary measure imposed must be reasonable in the circumstances.
 23. All decisions made by the Board will be based on a majority vote.
 24. The President will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed.
 25. Within 48 hours, the President will:
 - 24.1 Forward to the GFA Executive Officer a copy of the hearing decision including any disciplinary measures imposed.
 - 24.2 Forward a letter to the respondent(s) reconfirming the Board's decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal to be made.

Appeals Procedure

26. A complainant or a respondent(s) who is not satisfied with a decision described in **Step 7** of the Complaints Procedures can lodge one appeal to the GFA on one or more of the following bases:
 - 25.1 That a denial of natural justice has occurred; or
 - 25.2 That the disciplinary measure(s) imposed is unjust and/or unreasonable.
27. A person wanting to appeal in accordance with paragraph 25 must lodge a letter stating their intention and the basis for their appeal with the GFA Executive Officer within 7 days of the relevant decision.
28. If the letter of appeal is not received by the GFA Executive Officer within the relevant time period the right of appeal will lapse.
29. Upon receipt of the letter of appeal, the Secretary must notify the Board and must arrange for a hearing of an appeals group to be held on the matter as soon as possible after the date of receipt of the appeal. At such a meeting:
 - i) no business other than the appeal can be conducted and
 - ii) the appeals group shall receive all relevant information on the matter from the Board and must place it before the Member(s), detailing the grounds for the resolution and the reason for passing the resolution and
 - iii) the Member(s) must provide their case for having the resolution overturned and

- iv) the appeals group must return their vote to the Secretary on the question whether the resolution should be confirmed or revoked and
- v) a resolution is confirmed if greater than two thirds of the votes returned are in favour of the resolution. In any other case the resolution is revoked.
- vi) the President shall have an ordinary vote plus a casting vote in the event that the ordinary vote is deadlocked between two thirds to one third.

- 30. The final appeal group shall consist of not less than five Members with no involvement in the matter, selected by agreement between the President and the appealing party, with the President as a non voting member, shall hear and decide on any appeal under Article 10 e), f) or g) after which the decision becomes final.
- 31. The Board Compliant Hearing Procedure shall be followed for the appeal.
- 32. The decision of the appeal group will be final.

Attachment C6: DISCIPLINARY MEASURES

Any disciplinary measure imposed by the Board under this policy must:

- **Observe any contractual and employment rules and requirements;**
- **Conform to the principles of natural justice;**
- **Be fair and reasonable;**
- **Be based on the evidence and information presented;**
- **Be within the powers of the Board to impose the disciplinary measure.**

Individual

Subject to contractual and employment requirements, if the Board deems a Member has refused or neglected to comply with the Association's rules or MoSPs, or has been guilty of conduct unbecoming of a Member, or prejudicial to the interests of gliding, the Board may, by resolution:

- i) fine the Member, or
- ii) suspend that Member from membership for a specified time, or
- iii) expel the Member from the Association, or
- iv) take all such action as may be necessary for the proper management of the affairs of the Association.

When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by that individual in the future may result in the imposition of a more serious form of discipline.

Organisations

If a finding is made that an affiliated organisation has breached the GFA's Member Protection Policy (including the Codes of Conduct), one or more of the following forms of discipline may be imposed by the Board:

1. A written warning;
2. A monetary fine;
3. A direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;
4. A direction that any funding granted or given to it by the GFA cease from a specified date;
5. A direction that the GFA cease to sanction events held by or under the auspices of that organisation;
6. Any other form of discipline that the GFA considers to be appropriate.

When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by the organisation in the future may result in more serious form of discipline.

Factors to consider when imposing discipline

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

- If the individual is a parent and/or spectator ability to enforce a penalty may be difficult;
- Nature and seriousness of the behaviour or incidents;
- In a case where action is taken concurrently with or in lieu of a resolution of a formal complaint, the wishes of the complainant;
- If the individual concerned knew or should have known that the behaviour was a breach of the policy;
- Level of contrition of the respondent(s);
- The effect of the proposed disciplinary measures on the respondent(s) including any personal, professional or financial consequences;
- If there have been relevant prior warnings or disciplinary action; and/or
- If there are any mitigating circumstances such that the respondent(s) should not be disciplined at all or not disciplined so seriously.

Attachment C7: GFA Articles of Association

Articles 10 and 11 from the GFA Articles of Association empower the above expanded details of the policy.

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PART D: ROLE-SPECIFIC CODES OF CONDUCT

- Attachment D1: GFA Official Code of Conduct**
- Attachment D2: GFA Instructor/Coach Code of Conduct**
- Attachment D3: GFA Pilot/Athlete Code of Conduct**
- Attachment D4: GFA Administrator (Volunteer) Code of Conduct**
- Attachment D5: GFA Employee Code of Conduct**

All the above Codes of Conduct are adopted as part of the Official GFA Member Protection Policy. Whilst they are reproduced below as part of this policy, you should check the GFA website Documents Page to ensure you have the most recent updated version.

Attachment D1:



GFA Official Code of Conduct

General Code of Behaviour

As a member of GFA, a State association or an affiliated club or a person required to comply with GFA's Member Protection Policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GFA, a State Association or an affiliated club and in any role you hold within Gliding, a State Association or an affiliated club:

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate and honest in all dealing with others.
3. Be professional in, and accept responsibility for, your actions.
4. Make a commitment to providing quality service.
5. Be aware of, and maintain an uncompromising adherence to Gliding's standards, rules, regulations and policies.
6. Operate within the rules of the sport including national and international guidelines which govern Gliding, the State associations and the affiliated clubs.
7. Do not use your involvement with Gliding, a State association or an affiliated club to promote your own beliefs, behaviours or practices where these are inconsistent with those of Gliding, a State association or an affiliated club.
8. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
9. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
10. Refrain from any form of harassment of others.
11. Refrain from any behaviour that may bring Gliding, a State association or an affiliated club into disrepute.
12. Provide a safe environment for the conduct of the activity.
13. Show concern and caution towards others who may be sick, handicapped or injured.

14. Be a positive role model.
15. Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

Attachment D2:



GFA Instructor/Coach Code of Conduct

GFA Instructing and Coaching Code of Behaviour

In addition to GFA's General Code of Behavior, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GFA, a member association or an affiliated club and in your role as an instructor or coach appointed by GFA, a member association or an affiliated club:

1. Do not tolerate acts of aggression.
2. Provide feedback to pilots and other participants in a manner sensitive to their needs. Avoid unnecessary negative feedback.
3. Recognise pilots' rights to consult with other instructors, coaches and advisers. Cooperate fully with other specialists (for example, airworthiness personnel and sports scientists).
4. Treat all pilots fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status and other conditions.
5. Encourage and facilitate pilots' independence and responsibility for their own behaviour, performance, decisions and actions.
6. Appropriately involve the pilots in decisions that affect them.
7. Encourage pilots to respect one another and to expect respect for their worth as individuals regardless of their level of experience.
8. Ensure that the tasks and/or training set are suitable for experience, ability, and physical and psychological conditions of the pilots.
9. Be acutely aware of the power that you as an instructor or coach develop with your pilots in the instructional/coaching relationship and avoid any sexual intimacy with pilots that could develop as a result.
10. Avoid situations with your pilots that could be construed as compromising.
11. Actively discourage the use of performance enhancing drugs and illegal substances.
12. Discourage abuse of alcohol and tobacco.
13. Do not exploit any instructional/coaching relationship to further personal, political or business interests at the expense of the best interest of your pilots.
14. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules.
15. Know and abide by rules, regulations and standards, and encourage pilots to do likewise. Accept both the letter and the spirit of the rules.

Attachment D3:



GFA Pilot/Athlete Code of Conduct

In addition to GFA's General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GFA, a State association or an affiliated club and in your role as a pilot/participant in any activity held by or under the auspices of GFA, a State association or an affiliated club:

1. Respect the rights, dignity and worth of fellow pilots, instructors, coaches, and officials.
2. Do not tolerate acts of aggression.
3. Respect the talent, potential and development of fellow pilots, airworthiness personnel and competitors.
4. Care for and respect the equipment provided to you by your club.
5. Be frank and honest with your instructor or coach concerning illness and injury and your ability to fly safely within the program requirements.
6. Do not attempt to gain favour or benefit by engaging in inappropriate intimate relationships with your instructor or coach.
7. Conduct yourself in a professional manner relating to language, temper and punctuality.
8. Maintain acceptable personal behaviour standards at all times.
9. Abide by the rules and respect the decision of the official, making all appeals through the formal process and respecting the final decision.
10. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team or club.
11. Cooperate with instructors, coaches and staff in development of programs to enhance your flying or other skills.

Attachment D4:



GFA Administrator (Volunteer) Code of Conduct

In addition to GFA's General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of GFA, a State association or an affiliated club and in your role as an administrator of Gliding, a State association or an affiliated club:

1. Resolve conflicts fairly and promptly through established procedures.
2. Maintain strict impartiality.
3. Be aware of your legal responsibilities



Attachment D5:

GFA Employee Code of Conduct

In addition to GFA's General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GFA, a State association or an affiliated club and in your role as an official appointed by GFA, a State association or an affiliated club:

1. Place the safety and welfare of the pilots/participants above all else.
2. Accept responsibility for all actions taken.
3. Be impartial.
4. Avoid any situation which may lead to a conflict of interest.
5. Be courteous, respectful and open to discussion and interaction.
6. Value the individual in sport.



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PART E: GFA REPORTING DOCUMENTS/FORMS

To assist in consistency and accuracy in following procedure and reporting on the issues covered by GFA's member protection policy, the following documents are to be used:

- E1 GFA CONFIDENTIAL RECORD OF INFORMAL COMPLAINT – TO BE USED BY MPIOs OR OTHERS WHO RECEIVE A COMPLAINT OR ALLEGATION.**
- E2 GFA CONFIDENTIAL RECORD OF FORMAL COMPLAINT – TO BE USED WHEN A FORMAL COMPLAINT IS RECEIVED BY GFA.**
- E3 GFA CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION – TO BE USED BY MPIOs OR OTHERS WHO RECEIVE COMPLAINTS/ALLEGATIONS OF CHILD ABUSE.**
- E4 GFA RECORD OF MEDIATION – TO BE USED BY THOSE WHO CONDUCT MEDIATION.**
- E5 RECORD OF GFA BOARD DISCIPLINARY DECISION**

General principles to be followed when completing a report of a complaint:

- Treat all complaints seriously.
- Deal with complaints promptly, sensitively and confidentially.
- Maintain a calm attitude.
- Ask the complainant if they will consent to you taking notes.
- Write the description of the complaint /problem using the complainant's own words (as much as is possible).
- Find out the nature of the relationship between the complainant and the person complained about (for example, coach/competitor, team members, etc) and if there is any relevant history.
- Take a note of the facts and do not pre-judge the situation.
- Ask the complainant whether they fear victimisation or other consequences.
- Find out what outcome the complainant wants and if they need any support.
- Ask the complainant how they want the complaint to be dealt with under the policy.
- Keep the complaint confidential and do not disclose it to another person without the complainant's consent except if disclosure is required by law (for example, a report to government authorities) or if disclosure is necessary to effectively deal with the complaint.

<p>Feelings expressed by complainant (completing this may help to separate emotional content from facts)</p>	
<p>What they want to happen to fix issue</p>	
<p>What information I provided</p>	
<p>What they are going to do now</p>	

This record and any notes must be kept in a confidential place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to the GFA Secretary.

**Attachment E2:
GFA CONFIDENTIAL RECORD OF FORMAL COMPLAINT**



Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received: / /
Role/status in Gliding	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/pilot <input type="checkbox"/> Support Personnel <input type="checkbox"/> Coach/Instructor <input type="checkbox"/> Other <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	
Name of person complained about	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status in Gliding	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/pilot <input type="checkbox"/> Support Personnel <input type="checkbox"/> Coach/Instructor <input type="checkbox"/> Other <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (basis/grounds/category) 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"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Religion <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Pregnancy <input type="checkbox"/> Physical abuse <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Child Abuse <input type="checkbox"/> Other	

Methods (if any) of attempted informal resolution	
Support person (if any)	
Formal resolution procedures followed (outline)	
If investigated: Finding -	
If went to GFA Board Decision - Action recommended -	
If mediated: Date of mediation - Were both parties present - Terms of Agreement - Any other action taken -	
If went to appeals group: 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 in GFA: Signature: / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept in a confidential 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 GFA Office and a copy kept at the club/state level (whatever level the complaint was made).

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

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

**Attachment E4:
GFA RECORD OF MEDIATION**



Present at Mediation	
Date of mediation	
Venue of mediation	
Mediator	
Summary of mediation (minutes attached)	
Outcome of mediation	
Follow-up to occur (if required)	
Completed by: (signature)	
Signed by: Complainant (signature) Respondent (signature)	

Original to GFA Office, copy in Club/State Association records.

**Attachment E5:
RECORD OF GFA BOARD DISCIPLINARY DECISION**



Complainant's Name		Date Formal Complaint Received: / /
Role/status in Gliding	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/pilot <input type="checkbox"/> Coach/Instructor <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Name of person complained about		
Role/status in Gliding	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/pilot <input type="checkbox"/> Coach/Instructor <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (basis/grounds/category)	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Religion <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Pregnancy <input type="checkbox"/> Physical abuse <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Child Abuse Other	
Methods (if any) of attempted informal resolution		
Support person (if any)		

Board Members	
Board Hearing Date and venue	
Board Decision (attach report)	
Action recommended and any follow up report required	
Decision Appealed Date of Appeal lodged	
Appeal Hearing Date	
Appeal Decision (attach report)	
Action Recommended	
Completed by	Name: Position in GFA: Signature: / /
Signed by:	Complainant Respondent

End of Document