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[f](#) Australian Curling Federation

Australian Curling Federation

NATIONAL MEMBER PROTECTION POLICY

VERSION 1.1

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Preface

The Australian Curling Federation, and all affiliated State Curling Associations, are committed to creating a safe, fair and inclusive sporting environment.

This commitment will be upheld by the Australian Curling Federation, and will ensure:

- that the Australian Curling Federation seeks to prevent all forms of harassment, discrimination and abuse and to promote positive behaviour and values
- that inappropriate or unlawful behaviour will not be tolerated
- that the policy sets out codes of behaviour with which everyone associated with the Australian Curling Federation is expected to abide
- that disciplinary action will be taken against individuals if there is a breach of the policy.



Kim Forge

President

Australian Curling Federation

10th October 2015

Review History of Australian Curling Federation Member Protection Policy

Version	Date reviewed	Date endorsed	Content reviewed/purpose
0.1	Created Feb 2015		
1.0	Oct 2015	Nov 2015	• Adopted as ACF Policy
1.1	March 2020	April 2020	• Update 6.1 Child Protection with referral to new Child Safe Policy, Removal of Version 1.0 section 6.2, Part C in its entirety and Formerly Part E attachments relating to Child Abuse (E2 & E3), update under 6.9 to reference Social Media Guidelines document, addition of 6.10 Illicit Drugs section

PART A: NATIONAL MEMBER PROTECTION POLICY

1. Introduction

The purposes of the association [Australian Curling Federation] are to both govern and advance the sport of Curling in Australia. The Australian Curling Federation will aid and support the individual State Associations and their grassroots endeavours to advance Curling whilst at the same time provide a National framework for Curling in Australia at National and International events in accordance with the World Curling and Olympic governing bodies.

2. Purpose of this policy

This National Member Protection Policy (“policy”) aims to assist the Australian Curling Federation to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It sets out our commitment to ensure that every person involved in our sport is treated with respect and dignity and protected from discrimination, harassment and abuse. It also ensures that everyone involved in our sport is aware of their legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

The policy attachments describe the practical steps we will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, Australian Curling Federation will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed by the Australian Curling Federation Executive and has been incorporated into our constitution. The policy starts on 09 February 2015 and will operate until replaced.

The current policy and its attachments can be obtained from our website at: www.curling.org.au

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

3. Who is bound by this policy?

This policy applies to the following people operating at or representing the national or state level, whether they are in a paid or unpaid/voluntary capacity:

- (a) persons appointed or elected to national or state boards, committees and subcommittees
- (b) employees of the Australian Curling Federation
- (c) members of the Australian Curling Federation Executive
- (d) support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others
- (e) coaches and assistant coaches
- (f) athletes
- (g) referees, umpires and other officials

- (h) members, including life members of the Australian Curling Federation
- (i) athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by the Australian Curling Federation

This policy also applies to member associations.

4. Organisational responsibilities

The Australian Curling Federation must:

- (a) adopt, implement and comply with this policy
- (b) ensure that the Constitution, By-laws or other rules and policies include the necessary clauses for this policy to be enforceable
- (c) publish, distribute and promote this policy and the consequences of any breaches
- (d) promote and model appropriate standards of behaviour at all times
- (e) deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner
- (f) apply this policy consistently
- (g) recognise and enforce any penalty imposed under this policy
- (h) ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
- (i) use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour
- (j) monitor and review this policy at least annually.

5. Individual responsibilities

Individuals bound by this policy are responsible for:

- (a) making themselves aware of the policy and complying with the codes of behaviour it sets out
- (b) consenting to our screening requirements and those of any state/territory
- (c) Working with Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18
- (d) placing the safety and welfare of children above other considerations
- (e) being accountable for their behaviour
- (f) following the steps outlined in this policy for making a complaint or reporting possible child abuse
- (g) complying with any decisions and/or disciplinary measures imposed under this policy.

6. Position statements

6.1 Child protection

The Australian Curling Federation is committed to the safety and well-being of all children and young people who participate in our sport or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained.

We acknowledge the valuable contribution made by our staff, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants. ***Please refer to the standalone Child Safe Policy for guidance in Child Protection by contacting your respective state member association to obtain a copy.***

6.2 Anti-discrimination and harassment

The Australian Curling Federation aims to provide an environment where all those involved in our activities and events are treated with respect.

We recognise that people cannot participate, enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

We prohibit all forms of harassment, discrimination and bullying based on the personal characteristics listed in the “Definitions” set out in our Dictionary of Terms [see clause 10]. In most circumstances, this behaviour is against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, they may make an internal complaint. In some circumstances, they may also be able to make a complaint to an external organisation. (Refer to the attachments in Part C of this policy.)

6.3 Sexual relationships

The Australian Curling Federation takes the position that consensual intimate relationships (whether or not of a sexual nature) between coaches and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport’s public image.

These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach and the athlete.

If an athlete attempts to initiate an intimate sexual relationship with a coach, it is the coach’s responsibility to discourage the approach and to explain why such a relationship is not appropriate.

The coach or athlete may wish to seek advice or support from the Grievance Officer if they feel harassed. Our complaints procedure is outlined in Part C of this policy.

6.4 Pregnancy

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in our sport should be removed. We will not tolerate any discrimination or harassment against pregnant women.

The Australian Curling Federation will take reasonable care to ensure the safety, health and well-being of pregnant women and their unborn children. We will advise pregnant women that there may be risks involved and encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, are of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. We will only require pregnant women to sign a disclaimer if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

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

6.5 Gender identity

The Australian Curling Federation is committed to providing a safe, fair and inclusive sporting environment where people of all backgrounds can contribute and participate. People who identify as transgender or transsexual should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition.

We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual. If a transgender or transsexual person feels he or she has been harassed or discriminated against by another person or organisation bound by this policy, he or she may make a complaint. (Refer to the attachments in Part C of this policy.)

The Australian Curling Federation recognises that excluding transgender and transsexual people from participating in sporting events and activities has significant implications for their health, well-being and involvement in community life. In general, we will support their participation in our sport on the basis of the gender with which they identify.

We also recognise that there is debate over whether a male-to-female transgender person obtains any physical advantage over other female participants. This debate is reflected in the

divergent discrimination laws across the country. If issues of performance advantage arise, we will seek advice on the application of those laws in the particular circumstances.

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

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

6.6 Responsible service and consumption of alcohol

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

In general, our service and consumption of alcohol policy is as follows.

- (1) Alcohol should not be available or consumed at sporting events involving children and young people under the age of 18.
- (2) Alcohol-free social events will be provided for young people and families.
- (3) Food and low-alcohol and non-alcoholic drinks will be available at events we hold or endorse where alcohol is served.
- (4) A committee member will be present at events we hold or endorse where alcohol is served to ensure appropriate practices are followed.
- (5) Safe transport options will be promoted as part of any event we hold or endorse where alcohol is served.

6.7 Smoke-free environment

The Australian Curling Federation recommends that the following policies be applied to all sporting and social events that we hold or endorse.

- (1) No smoking shall occur at or near sporting events involving children and young people under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers.
- (2) Social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas.

- (3) Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke-free while they are involved in an official capacity in our sport, both on and off the ice.

6.8 Cyber-bullying

The Australian Curling Federation regards bullying and harassment in all forms as unacceptable in our sport. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments.

The Australian Curling Federation will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. In some cases, bullying is a criminal, punishable offence.

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

6.9 Social networking websites

The Australian Curling Federation acknowledges the enormous value of social networking websites, such as Facebook and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport.

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

Social media postings, blogs, status updates and tweets:

- must not use offensive, provocative or hateful language;
- must not be misleading, false or injure the reputation of another person;
- should respect and maintain the privacy of others;
- should promote the sport in a positive way.

Please refer to the standalone Social Media Guidelines document by contacting your respective state member association to obtain a copy.

6.10 Illicit Drugs

The Australian Curling Federation will not tolerate unlawful activity associated with Illicit Drugs in our sport. This Policy aims to provide guidelines on restrictions and raise awareness about Illicit Drug use in our sport. The policy is implemented with the following four pillars to safeguard our sport from the dangers of Illicit Drugs: Health, Educate, Integrity, and Rehabilitate.

Compliance with this Policy is a mandatory requirement for the continuation of funding and support for all Australian Curling Federation Athletes and Athlete Support Personnel dealing with those Australian Curling Federation Athletes and is a condition of their participation and/or involvement in the sport. ***Please refer to the standalone Illicit Drugs Policy document by contacting your respective state member association to obtain a copy.***

7. Complaints procedures

7.1 Handling complaints

The Australian Curling Federation aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of natural justice.

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

In the first instance, complaints should be reported to the Grievance Officer

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

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

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

A complaint may be handled informally or formally. The complainant will usually indicate his or her preferred option unless the Grievance Officer considers that the complaint falls outside this policy and should be handled another way. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our procedures for handling and resolving complaints are outlined in the Constitution of the Australian Curling Federation under the section “Grievance Procedures”.

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

7.2 Improper complaints and victimisation

The Australian Curling Federation aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against the person making the complaint.

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

If at any point in the complaint handling process the Grievance Officer considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or intended to cause distress to the respondent, the matter may be referred to the Australian Curling Federation President, Vice-President or Executive for review and appropriate action, including possible disciplinary action against the complainant.

7.3 Mediation

The Australian Curling Federation aims to resolve complaints quickly and fairly.

Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

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

If a complainant wishes to resolve the complaint with the help of a mediator, the Grievance Officer will, in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to negotiate on behalf of the complainant and/or the respondent.

7.4 Tribunals

A Tribunal may be convened to hear a formal complaint:

- referred to it by The Australian Curling Federation President, Vice-President, or Executive;
- referred to it or escalated by a state association because of the serious nature of the complaint, because it was unable to be resolved at the state level or because the policy of the state association directs it to be;
- for an alleged breach of this policy.

A respondent may only lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved.

Our Tribunal and appeals processes are outlined in Constitution of the Australian Curling Federation under Rules 9 & 10.

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

8. What is a breach of this policy?

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

- (a) breaching the codes of behaviour (see Part B of this policy)
- (b) failing to follow the Australian Curling Federation policies (including this policy) and our procedures for the protection, safety and well-being of children
- (c) discriminating against, harassing or bullying (including cyber-bullying) any person
- (d) victimising another person for making or supporting a complaint
- (e) engaging in a sexually inappropriate relationship with a person that he or she supervises, or has influence, authority or power over
- (f) verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport
- (g) disclosing to any unauthorised person or organisation any Australian Curling Federation information that is of a private, confidential or privileged nature
- (h) making a complaint that they know to be untrue, vexatious, malicious or improper
- (i) failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy
- (j) failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

9. Disciplinary measures

The Australian Curling Federation may impose disciplinary measures on an individual or organisation for a breach of this policy.

Any disciplinary measure imposed will be:

- (a) fair and reasonable;
- (b) applied consistent with any contractual and employment rules and requirements;
- (c) be based on the evidence and information presented and the seriousness of the breach;

- (d) be determined in accordance with our Constitution, By-laws, this policy and/or the rules of the sport.

9.1 Individual

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

- (1) A direction that the individual make a verbal and/or written apology.
- (2) A written warning.
- (3) A direction that the individual attend counselling to address their behaviour.
- (4) A withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by the Australian Curling Federation.
- (5) A demotion or transfer of the individual to another location, role or activity.
- (6) A suspension of the individual's membership or participation or engagement in a role or activity.
- (7) Termination of the individual's membership, appointment or engagement.
- (8) A recommendation that the Australian Curling Federation terminate the individual's membership, appointment or engagement.
- (9) In the case of a coach or official, a direction that the relevant organisation deregister the accreditation of the coach or official for a period of time or permanently.
- (10) A fine.
- (11) Any other form of discipline that the Australian Curling Federation Executive considers appropriate.

9.2 Organisation

If a finding is made that one of the Member organisations of the Australian Curling Federation or the Australian Curling Federation itself has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed.

- (1) A written warning.
- (2) A fine.
- (3) A direction that any rights, privileges and benefits provided to that Member organisation by the Australian Curling Federation or the peak body for the sport be suspended for a specified period.
- (4) A direction that the Australian Curling Federation cease to sanction events held by or under the auspices of that Member organisation.
- (5) Any other form of discipline that the Australian Curling Federation or the peak body for the sport considers reasonable and appropriate.

9.3 Factors to consider

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

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

10. Dictionary of terms

A dictionary of terms used in this policy and its attachments is provided at:

http://www.ausport.gov.au/supporting/nso/member_protection.

PART B: CODES OF BEHAVIOUR

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

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

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

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

PART C: COMPLAINT HANDLING PROCEDURES

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

We will provide individuals with an informal and formal process to resolve the matter, along with access to an external complaint handling body, based on their preferences and the nature of the complaint.

We also provide an appeals process for those matters where it is required.

We will maintain confidentiality as far as possible and ensure that no one is victimised for making, supporting or providing information about a complaint.

Grievance procedures, disciplinary actions, and appeals tribunal information and rules can be found in the Constitution of the Australian Curling Federation.

PART D: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

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

This information, and any additional records and notes, will be treated confidentially and stored in a secure place.

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

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

ATTACHMENTS

- Attachment D1: Confidential record of formal complaint

**Attachment D1:
 CONFIDENTIAL RECORD OF FORMAL COMPLAINT**

Complainant's Name	Over 18 Under 18	Date Formal Complaint Received: / /
Complainant's contact details	Phone: Email:	
Complainant's role/position	Administrator (volunteer) Athlete/player Coach/Assistant Coach Employee (paid) Other	Parent Spectator Support Personnel Official
Name of person complained about (respondent)	Over 18	Under 18
Respondent's role/position	Administrator (volunteer) Athlete/player Coach/Assistant Coach Employee (paid) Other	Parent Spectator Support Personnel Official
Location/event of alleged incident		
Description of alleged incident		
Nature of complaint (category/basis/grounds) Tick more than one box if necessary	Harassment or Sexual/sexist Sexuality Race Religion Pregnancy Other	Discrimination Selection dispute Personality clash Bullying Disability Child Abuse Coaching methods Verbal abuse Physical abuse Victimisation Unfair decision
Methods (if any) of attempted informal resolution		