



Toorak East Malvern Hockey Club

MEMBER PROTECTION POLICY DOCUMENT

Document Control

VERSION	DESCRIPTION OF CHANGES	NAME	DATE
1.0	Creation of Policy Document	Chris Graven	15/01/15
2.0	Addition of 'Interview Record'	Chris Graven	07/01/16
3.0	Minor amendments – Section 3.1: addition of last paragraph Section 5: addition of Hockey Victoria website address Attachment 2: additional option box added under 'Club / Local level issue'	Chris Graven	21/09/16
3.1	Minor amendments - Spelling errors - Section 1.0; addition of umpires to last paragraph - Section 3.2; addition of "legal reasons"	Bruce Cook	22/09/16

Member Protection Policy Index

- 1.0 - Overview of Member Protection Policy Document
- 2.0 - Member Protection Information
 - 2.1 – Discrimination, Harassment and Bullying
 - 2.2 – Child protection
- 3.0 - The Member Protection Information Officer (MPIO)
 - 3.1 – Role of the Member Protection Information Officer
 - 3.2 – Confidentiality
 - 3.3 – Conflict of interest
 - 3.4 – Record keeping
 - 3.5 – Development of the Member Protection Policy
- 4.0 – Complaint Resolution options
 - 4.1 - Self Management
 - 4.2 – Obtaining information and support
 - 4.3 – Informal internal process
 - 4.4 – Formal internal process
 - 4.5 – Appeals process
 - 4.6 – External options
 - 4.7 – Disciplinary actions
- 5.0 – Resources



Toorak East Malvern Hockey Club

MEMBER PROTECTION POLICY

1.0 OVERVIEW OF THE MEMBER PROTECTION POLICY

The Toorak East Malvern (TEM) Hockey Club Member Protection Policy provides information and guidelines about many aspects of member protection, including:

- Overview of the Member Protection Information Officer role
- Complaint resolution options
- Complaint Flowchart
- Overview of discrimination / harassment / child protection issues
- Contact details of relevant resources – including navigation to additional TEM Hockey Club Policies relating to member protection issues.

The purpose of Member Protection Policy is to ensure that all participants at TEM Hockey Club are treated with dignity and respect, and without harassment, discrimination, vilification, or victimisation. The Member Protection Policy assists to: inform members of their rights and responsibilities; encourage informed decision-making and responsible behaviours; and provide a framework for procedures should issues arise. The TEM Hockey Club seeks to welcome and include all members from our community. Such inclusiveness embraces - sexual and gender diversity, people with disabilities, people from different cultures, and race and religious diversity.

Participants of TEM Hockey Club are: players, parents, officials, coaches, umpires, administrators, and volunteers.

2.0 MEMBER PROTECTION INFORMATION

The Member Protection Policy will be accessible to all TEM Hockey Club participants, and they should make themselves aware of its contents and comply with its codes of behaviour and procedures for complaints.

TEM Hockey Club seeks to provide an inclusive and safe environment for its participants.

2.1 Discrimination, Harassment and Bullying

Under the Equal Opportunity Act 2010, it is against the law to discriminate against, bully (including cyber-bully), or treat someone unfairly in sport because of a personal characteristic protected by law.

Protected attributes (characteristics):

- Age
- Breastfeeding
- Carer status (informal)
- Disability
- Employment activity
- Gender identity
- Industrial activity
- Marital status
- Parental status
- Personal association
- Physical features
- Political belief or activity
- Pregnancy
- Race
- Religious belief or activity
- Sex
- Sexual orientation

TEM Hockey Club will seek to accommodate aspects of the above characteristics – and liaise with Hockey Victoria should specific requests require adaptation of existing association rules and regulations.

2.2 Child Protection

TEM Hockey Club is committed to the safety of all children, and will take all reasonable steps to ensure that it engages suitable people to the roles that necessitate contact with minors under the age of 18 years old. TEM Hockey Club aims to provide an environment that allows children to be safe from abuse (sexual, physical, emotional, and/or neglect), and protected from any individual who wishes to exploit or harm them. Any TEM Hockey Club participant who has reasonable grounds for suspecting that a child is being abused should report it. The MPIO can assist with this process.

If an adult TEM Hockey Club participant holds a role that involves contact with children, they must be in possession of a current Working with Children Card. Background and referee checks will be conducted by the club as deemed necessary.

TEM Hockey Club has several policies that pertain to the well-being of children:

- Guidelines for Working with Children
- Guidelines for picking up and dropping off children

Refer to the separate policies found at www.temhockey.com

If a child is considered in immediate danger – contact Police ‘000’
For other types of reporting – Child Protection and Family Services, within the Victorian Department of Human Services.

3.0 MEMBER PROTECTION INFORMATION OFFICER

The Toorak East Malvern (TEM) Hockey Club has an accredited Member Protection Information Officer (MPIO). The MPIO is trained to be the first point of contact for any person considering making a complaint under the Member Protection Policy. The MPIO is engaged in the pre-resolution phase, and is available to assist people in the *process* of finding a resolution – with support to make informed decisions about the actions that they wish to take.

3.1 Role of the MPIO

The TEM Hockey Club MPIO will have completed the required training and be in receipt of a current MPIO ‘Completion Certificate’ and ‘Certificate of Recognition’ (Australian Sport Commission).

The role of the MPIO is to provide:

- confidential, impartial, and timely information and support
- information about the complaint resolution options available to address the individual’s concerns
- advice to club administrators or complaint handlers regarding the Member Protection Policy and associated laws.

The MPIO does not:

- advocate,
- take sides or judge,
- give advice,
- intervene,
- investigate,
- breach confidentiality

The MPIO (and any other TEM Hockey Club member addressing arising issues) will follow the TEM Hockey Club's complaints resolution framework (refer to Section 4) to aim to respond to grievances and breaches in a timely and confidential manner.

The MPIO is required to provide an annual report to the TEM Hockey Club Committee (at least annually) regarding issues for which the MPIO has been formally engaged. This will enable the Club to determine which issues may need further consideration and management, and to ascertain whether Club practices and policies require amendments.

3.2 Confidentiality

The issues raised with the MPIO will be dealt with in a confidential manner. However, there are times when the MPIO will need to take action and exercise a duty of care for legal and/or health and safety reasons. This is especially in the case of allegations or suspected incidents of child abuse.

3.3 Conflict of Interest

If the MPIO considers that there is a conflict of interest, or potential conflict of interest, certain steps should be addressed:

- clarify that the person is speaking to the MPIO in their role as the MPIO
- the person is to describe the inquiry or complaint in general terms, without naming people
- the MPIO will declare and explain any perceived conflict of interest
- determine whether the person making the complaint would prefer to have their inquiry handled by another person (for example, another MPIO, another TEM Hockey Club official, or externally)
- if it is determined (either by the complainant or the MPIO) that provision of impartial information, support, and confidentiality may be compromised – then the complainant should be referred to another person.

The MPIO does not support both parties involved in the same dispute. The MPIO will refer the second person to another MPIO or TEM Hockey Club official – there is not a need to explain to the second complainant why they has been referred on.

It may be a conflict of interest if the MPIO is a close friend of the person approaching the MPIO for advice – but only if the friendship prevents the MPIO from being impartial.

Ideally, the TEM Hockey Club MPIO should not hold a formal role on the TEM Committee.

3.4 Record Keeping

MPIOs are required to keep a record of the issue, and the information and options provided. Once a person has approached the MPIO to seek assistance – the MPIO will make a record of each contact (if the contact is regarding the arising issue).

The MPIO will record:

- the history of the complaint / issue
- the information provided
- subsequent relevant contacts and outcomes

Refer to 'Interview Record' documentation (Attachment 1).

For *informal procedures* – a brief documented summary is required (overview of issue and information provided)

For *formal complaints* – detailed and thorough documentation is required.

Ideally the complainant should be notified that documentation of the concern or complaint will be recorded and retained. These records will be kept by the MPIO in a confidential and secure manner (password protected files).

The MPIO will not:

- ask a third party to type notes for them
- keep notes in a diary or a place where they can be accessed by others
- enter notes on the organisation's computer system (equipment belonging to TEM Hockey Club)

The role of the MPIO is an Australian Government initiative (under the Australian Sports Commission) – as is part of the *Play by the Rules* program

3.5 Development of the TEM Hockey Club Member Protection Policy

The documentation regarding the:

- Role of the MPIO
- Complaint resolution options
- Complaint flowchart

has been adapted from information provided via the MPIO workshop / workbook / online modules / Hockey Australia guidelines / *Play by the Rules* newsletters.

The TEM Hockey Club Member Protection Policy should be reviewed and updated every twelve months.

For general information about the MPIO role, go to www.playbytherules.net.au/mpio

4.0 COMPLAINT RESOLUTION OPTIONS

In the event of an arising issue, members of TEM Hockey Club should adopt and adhere to a complaints procedure (refer also to 'Complaint Flowchart' – Attachment 2). There should be adherence to the principles of *procedural fairness*, with the aim to reach a fair and correct decision or outcome.

Participants of TEM who would like to make a complaint (because they consider that the Member Protection Policy has been breached) should follow the procedure below:

4.1 Self-management → direct resolution with the person with whom the issue has arisen.

4.2 Obtaining information and support (such as MPIO assistance) → opportunity to listen and provide options to the person with the complaint (based on complaints procedure) – if the person:

- has not been able to sort out the problem themselves
- is not sure how to handle the problem
- wants to talk about the problem and get some more information about what to do
- continues to experience the problem after approaching the other person or people involved

4.3 Informal internal process (low level resolution) → after talking to the MPIO (or other TEM representatives, such as: Committee members / Team Coach / Team Manager / Age Group Co-ordinator), the person with the complaint may decide:

- there is not a problem
- the problem is minor and they do not want to proceed with the matter
- to try to work out their own resolution, with or without support
- to seek an informal mediated resolution with the help of a third person (such as a mediator or club official)

Emphasis is on resolution using counselling, education, and mediation (conciliation of the complaint).

4.4 Formal internal process (written complaint and internal investigation) → if the complaint has not been resolved, the person may decide to write a formal complaint to a particular member of the TEM Hockey Club Committee, or to the Committee as a whole. The TEM President will then delegate an impartial person to investigate the complaint. This Investigator will then submit a report and recommendations back to the TEM President for a decision and action.

A formal procedure is most appropriate when:

- the situation has not been satisfactorily resolved at the informal level
- matters involve more serious allegations
- the other person denies the allegations

A formal internal complaint usually involves an investigation of the complaint, and then recommendations about outcomes.

Those with complaint-handling and decision-making roles need to ensure that they have no conflict of interest.

4.5 An appeals process → if the person with the complaint or the person complained about is not satisfied with the process or outcome of the investigation, or any recommended mediation does not result in a mutually acceptable solution, then either party is entitled to an appeal.

In the appeals process, the complaint will be reheard by a different investigator, and the decision is reviewed. The TEM President will delegate an alternative impartial person to re-investigate the complaint. This second Investigator will then submit a report and recommendations back to the TEM President for a decision and action, as required.

The person has the right to *one* internal appeal.

4.6 External options → if the internal complaint resolution procedure does not achieve a satisfactory resolution or outcome, or if the person with the complaint believes that it would be impossible to get an impartial resolution within the TEM Hockey Club, they may approach an external body for advice, or to lodge a complaint at any time during the process.

4.7 Disciplinary Actions

At times, disciplinary measures may be deemed appropriate. Any actions imposed must be fair and reasonable, evidence-based, and commensurate to the offence. Such actions may include: apology (written or verbal); mentoring / counselling; a financial penalty; suspension or termination of membership or role within the club; other forms of discipline as deemed appropriate by the TEM Hockey Club, in line with the breach that has occurred.

5.0 RESOURCES

TEM Hockey Club Member Protection Information Officer:

- Chris Graven - mpio@tem.org.au or cgraven@bigpond.net.au

TEM Hockey Club Committee:

- President: Michael Norbury – president@tem.org.au
- Senior VP: Joe Hough – vp@tem.org.au
- Secretary: Bruce Cook – secretary@tem.org.au
- Treasurer: Tim Flowers - treasurer@tem.org.au
- VP Men's Division: Tony Dudley – mensvp@tem.org.au
- VP Women's Division: Karen Gibson - womensvp@tem.org.au
- VP Junior Division: Pip Dudley and Ben Spincer – juniorsvp@tem.org.au

TEM Club Policies – refer www.temhockey.com – under 'Club Policies' section

- TEM Hockey Club follows the Hockey Victoria 'Code of Behaviour' pertaining to: Players / Parents / Coaches / Administrators / Officials / Media / Spectators, and overall Victorian Code of Conduct for Community Sport.
- Communication Policy
- Guidelines for Working with Children
- TEM Hockey Club Junior Playing Policy
- TEM Hockey Club Junior Selection Policy
- Picking up and dropping off children guidelines
- Junior girls playing mixed hockey – Policy
- Juniors playing in a higher age-group - Policy

Play by the Rules – Making sport inclusive, safe, and fair: www.playbytherules.net.au

Hockey Victoria – Member Protection Policy: www.hockeyvictoria.org.au

Hockey Australia - Member Protection Policy: www.hockey.org.au

Working with Children Check: www.justice.vic.gov/workingwithchildren

Victorian Police: 000

Child protection After Hours service: 13 12 78

Department of Human Services (Eastern – Intake Unit): 1300 360 391

Victorian Equal Opportunity & Human Rights Commission: 1300 891 848

Equal Opportunity Act 2010

Racial and Religious Tolerance Act 2001

Victorian Civil and Administrative Tribunal (VCAT)