



*NATIONAL RUGBY LEAGUE
MEMBER PROTECTION POLICY*

(Updated May 2014)

CONTENTS	PAGE
PART A – NATIONAL RUGBY LEAGUE MEMBER PROTECTION POLICY	
1. Introduction	4
2. Purpose of this policy	5
3. Who is bound by this policy?	5
4. Organisational responsibilities	5
5. Individual responsibilities	6
6. Position statements	
6.1 Child protection	6
6.2 Taking images of children	7
6.3 Anti-discrimination and harassment	8
6.4 Sexual relationships	9
6.5 Pregnancy	9
6.6 Gender identity	10
6.7 Responsible service and consumption of alcohol	10
6.8 Smoke-free environment	10
6.9 Cyber bullying	11
6.10 Social networking sites	11
7. Complaints procedures	
7.1 Handling complaints	11
7.2 Improper complaints and victimisation	12
7.3 Mediation	12
7.4 Tribunals	12
8. What is a breach of this policy?	13
9. Disciplinary measures	
9.1 Individual	13
9.2 Organisations	14
9.3 Factors to consider	14
10. Dictionary of terms	14
PART B – CODE OF CONDUCT	
National Code of Conduct	17
PART C – ATTACHMENTS: EMPLOYMENT SCREENING/WORKING WITH CHILDREN CHECK REQUIREMENTS	
C1. Employment screening requirements	22
C2. Member Protection Declaration	23
C3. Working with Children Check requirements	24
PART D – ATTACHMENTS: COMPLAINT HANDLING PROCEDURES	
D1. Complaints procedure	27
D2. Mediation	28
D3. Investigation process	29
D4. Tribunal procedures	30
PART E – ATTACHMENTS: REPORTING REQUIREMENTS AND DOCUMENTS	
E1. Confidential record of informal complaint	34
E2. Confidential record of formal complaint	35
E3. Procedure for handling allegations of child abuse	37
E4. Confidential record of child abuse allegation	40

NRL MEMBER PROTECTION POLICY STATEMENT

The National Rugby League (NRL) has a policy of using world's best practice in risk management to support and enhance activities in all areas of our organisation and to ensure that risk management is an integral part of our decision-making process.

We use a structured risk management process to minimise reasonably foreseeable physical, financial, legal and ethical harm to people, disruption to operations and damage to the environment and property. We identify and take advantage of opportunities as well as minimising adverse effects.

We train our people to implement risk management effectively. We strive to continually improve our risk management practices.

Included as part of the National Rugby League's Risk Management Program are Member Protection Policies and Procedures for the National Body, all Affiliated State Leagues and their affiliated organisations. These policies and procedures are an essential part of our organisation's proactive and preventative approach to tackling inappropriate behaviour. These policies are governed by the NRL and adopted by its all Affiliated State Leagues and their affiliated organisations.

The National Rugby League and its affiliates are dedicated to providing a safe, healthy and professional environment for all members and providers participating in rugby league activities – including players, coaches, officials, volunteers and paid and unpaid administrators.

As Australians we have a very high regard for sport in our culture and community. The National Rugby League, the Affiliated State Leagues and all their affiliated bodies recognise the right of each and every individual to participate in and enjoy our sport, at whichever level they choose to participate. We are committed to providing for all participants, particularly children, an environment which is free from harassment and abuse, and promotes respectful and positive behaviour and values. The codes of conduct included in the Member Protection Policy form the basis of appropriate and ethical conduct that everyone must abide by.

Rugby League as a sport is proud to lead the way in ensuring safe and harassment free sport for all our participants, from loyal fans to juniors to first grade players. The National Rugby League is committed to ensuring that everyone associated with our organisation complies with these policies and procedures.

Andrew Hill
General Manager, Game Development & League Integration
National Rugby League

PART A: MEMBER PROTECTION POLICY

1. Introduction

National Rugby League's Vision, Mission and Values

- to make a difference by leading change
- Putting the game ahead of individual needs
- Having the strength to make the right decisions, placing fact ahead of emotion

Teamwork

- Encouraging and supporting others to achieve common goals
- Committing to a culture of honesty and trust
- Motivating those around us to challenge themselves
- Respecting the contribution of every individual

Included in the core values of our sport is the general principle that every participant, including players, parents, spectators, coaches, referees and officials should respect the rights, dignity and worth of every person regardless of their gender, ability/disability, sexual orientation, cultural background or religion. We discourage all instances of unsportsmanlike behaviour, foul or illegal play, or acts of violence, both on and off the field. We also condemn the use of recreational and performance enhancing drugs and doping practices.

Vision

Rugby League – The Greatest Game of All

The most entertaining, most engaging and most respected sport

Mission

To bring people together and enrich their lives

Values

Excellence

- Valuing the importance of every decision and every action
- Striving to improve and innovate in everything we do
- Setting clear goals against which we measure success
- Inspiring the highest standards in ourselves and others

Inclusiveness

- Engaging and empowering everyone to feel welcome in our game
- Reaching out to new participants and supporters
- Promoting equality of opportunity in all its forms
- Respecting and celebrating diversity in culture, gender and social background

Courage

- Standing up for our beliefs and empowering others to do the same

2. Purpose of this policy

This Member Protection Policy aims to ensure that our core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. This policy also ensures that everyone involved in our sport is aware of his or her legal and ethical rights and responsibilities. This policy also reflects our support and implementation of the sport industry principles and values outlined in **The Essence of Australian Sport** – principles of fairness, respect, responsibility and safety.

The policy attachments provide 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, National Rugby League and its Affiliated Organisations will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed by the National Rugby League Limited and has been incorporated into our By-Laws. The policy starts on 13 May 2014 and will operate until replaced. This policy and/or its attachments may be amended from time to time by resolution of the NRL. Copies of the policy and its attachments can be obtained from our website www.nrl.com.au and from the National Rugby League and its Affiliated State League offices. Policies are subject to review and change at any time. In the event there has been a change, the policy will be updated to reflect this.

3. Who is bound by this policy

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

- Individuals sitting on boards, committees and sub-committees;
- Volunteers;
- Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- Coaches and assistant coaches;
- Athletes and players;
- Referees, umpires and other officials;
- Members, including life members;
- Member associations;
- Affiliated clubs and associated organisations;
- Peak associations and the national body;
- Any other person or organisation that is a member of or affiliated to the National Rugby League;
- Parents, guardians, spectators and sponsors to the full extent that is possible.

National Rugby League Limited paid employees are subject to internal policies endorsed by the National Sporting Organisation.

This policy will continue to apply to a person even after they have stopped their association or employment with the National Rugby League and its affiliated organisations if disciplinary action, relating to an allegation of child abuse against that person, has commenced.

NRL registered players and officials are **not** covered by the Member Protection Policy but by specific provisions within the NRL Rules. These Rules can be found at:

[http://www.nrl.com/portals/nrl/RadEditor/Documents/NRL%20Code%20of%20Conduct%202012%20\(Final\)-1.pdf](http://www.nrl.com/portals/nrl/RadEditor/Documents/NRL%20Code%20of%20Conduct%202012%20(Final)-1.pdf)

4. Organisational responsibilities

The NRL, Affiliated State Leagues and their Affiliated Leagues and Clubs must:

- 4.1 Adopt, implement and comply with this policy;
- 4.2 Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- 4.3 Promote appropriate standards of behaviour at all times;
- 4.4 Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- 4.5 Ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- 4.6 Apply this policy consistently without fear or favour;
- 4.7 Recognise and enforce any penalty imposed under this policy;
- 4.8 Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies;
- 4.9 Appoint or have access to appropriately trained people i.e. Member Protection Information Officers, to receive and handle complaints and allegations and display their names and contact details in a way that is readily accessible; and
- 4.10 Monitor and review this policy at least annually.

5. Individual responsibilities

Individuals bound by this policy are responsible for:

- 5.1 Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- 5.2 Consenting to our screening requirements and any state/territory working with children check if the individual holds or applies for a role that involves regular contact with a child or young person under the age of 18 years;
- 5.3 Placing the safety and welfare of children above considerations;
- 5.4 Being accountable for their behaviour;
- 5.5 Complying with all other requirements of this policy;
- 5.6 Co-operating in providing a discrimination, child abuse and harassment free sporting environment;
- 5.7 Understanding the possible consequences of breaching this policy.

6. Position statements

6.1 Child protection

The purpose of this policy is to ensure a safe and positive environment for children and young people to participate in activities. This policy will assist the National Rugby League (NRL) in establishing coordinated strategies for dealing with the problem of child abuse and neglect in a responsible, consistent and effective manner.

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

The NRL aims to promote a safe environment for all children and to assist all staff, officials, players, coaches, members and volunteers to recognise child abuse and neglect and follow the appropriate notification procedures when reporting alleged abuse.

Administrators, coaches, officials, members and volunteers often have a high level of contact with children in the sporting environment and play a major part in the successful operation of sporting

activities. Coaches and officials are often seen as role models. They have significant influence on the children they come into contact with and therefore have significant responsibilities.

The NRL expects that all administrators, coaches and officials whether paid or unpaid, who participate in organised sport will commit to implementing risk management strategies developed by the NRL for child protection and intervention.

6.1.1 Procedure

The NRL acknowledges that our staff and volunteers provide a valuable contribution to the positive experiences of all children. The NRL aims to ensure this continues and to protect the safety and welfare of all children.

Several measures will be used to achieve this such as:

- Prohibiting any form of abuse against children;
- Providing opportunities for our juniors to contribute to and provide feedback on our program development;
- Carefully selecting and screening people whose role requires them to have regular contact with children. (Screening procedures are outlined in Part C)
- Ensuring the NRL Code of Conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed;
- Providing education and/or information to those involved in our sport on child abuse and child protection.

6.1.2 Reporting

The NRL requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within our sport, to report it immediately to the police or relevant government agency and the NRL.

To deal appropriately with these issues and to ensure that the confidentiality of all parties involved is maintained, persons within the NRL will be designated as the Child Protection Officers.

In the NRL, the Child Protection Officers will be the Head of Community. The Child Protections Officers are therefore responsible for reporting any allegations of child abuse that occur in the NRL to the local branch of the Department of Community Services (DoCS), and the Police Service. Verbal notification of alleged child abuse must be followed up in writing within 24 hours to the Child Protection Officers.

If the Child Protection Officers are not available, then all allegations should be forwarded to the Chief Operating Officer.

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.

If anyone bound by this policy reasonably suspects that a child is being abused by his or her parent/s, they are advised to contact the Child Protection Officers immediately. Refer. to attachments in Part E of this policy.

6.1.3 Taking images of children

A high level of care needs to be exercised by clubs, associations and administrators when dealing with the issue of photo images of children.

There have been a number of instances where photos of children in sporting magazines and sporting websites have been misused and/or altered for inappropriate purposes.

Clubs, associations and administrators also need to be alive to the possibility that photo images bearing the name of the child and also identifying the club, can lead to the child being located and contacted by third parties for inappropriate purposes.

The NRL urges its member clubs and associations to be aware of such risks and to take steps, where possible, to minimise those risks.

Third Party Photographers

The NRL recommends that steps be taken to verify that bona fides of any third party photographer wishing to take photographs of children participating in your Club or Association. Even when the bona fides are verified, NRL recommends that the third party photographer be required to complete the Authority to Photograph form, which vests all of the intellectual property in the photos directly to your Club.

Use of Child Images in your website or newsletters

It is common practice for clubs and associations to use images of participating children on the club's website and in newsletters.

The NRL recommends the selection of images which are not likely to be used by others in an inappropriate manner. Wherever possible, use images which portray the children in full playing uniform.

Clubs, associations and administrators should only use images of children when so authorised by the children's parent or guardian.

General Caution on Personal Information

Be conscious of the possibility of the misuse of personal information such as phone numbers, addresses or names published by your club or association, especially when such information can be cross referenced to photo images naming those children appearing.

The NRL recommends that only the contact details for club officials are displayed on your published material and also recommends the exercise of caution in publishing the full names of children appearing in any published material.

When publishing photo images on a website, take advice from a computer specialist to minimise the possibility of images on the website being copied and misused inappropriately.

Under no circumstances allow any photographer access to a child for personal or unsupervised photo sessions.

Where the Club is aware of upcoming exposure by the Club to newspaper or television exposure, a general caution should be issued to parents, notifying them of the media exposure and giving them the opportunity to make enquiries or objections.

What to do in the event of a breach

If you believe there has been a breach, or even a potential breach, of the Images Policy, the NRL recommends that you:

- (a) provide such evidence to your local police station; and
- (b) notify the General Manager People and Culture or General Manager Community, Culture and Diversity.

Changes to this Policy

This policy will be reviewed from time to time as required. Any changes must be authorised by the Chief Operating Officer or General Manager People and Culture.

6.2 Anti-discrimination and harassment

The National Rugby League aims to provide a sport environment where all those involved in its activities are treated with dignity and respect, and without harassment or discrimination.

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 D of this policy.)

6.3 Sexual relationships

The NRL takes the position that consensual sexual relationships between coaches or officials 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 a sexual relationship exists between an athlete and a coach, we will consider whether disciplinary action is necessary. Factors that will be taken into account include the relative age and maturity of the athlete to the coach, the financial or emotional dependence of the athlete on the coach and the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.

If we determine that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. This could include a transfer, a request for resignation or dismissal from coaching duties.

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 Member Protection Information Officer, or other official if they feel harassed.

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 NRL 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 well-being, 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 D of this policy.)

6.5 Gender identity

The NRL 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.

The NRL 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 NRL 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 NRL 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 policy is that:

- alcohol should not be available or consumed at sporting events involving children and young people under the age of 18
- alcohol-free social events will be provided for young people and families
- food and low-alcohol and non-alcoholic drinks will be available at events we hold or endorse where alcohol is served
- a committee member will be present at events we hold or endorse where alcohol is served to ensure appropriate practices are followed
- 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 NRL recommends that the following policies be applied to all sporting and sporting related social events that we hold or endorse.

- 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.
- Social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas.
- 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 field.

6.8 Cyber-bullying

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

7. Complaints procedures

7.1 Handling complaints

The National Rugby League aims for all complaints to be dealt with promptly, seriously, sensitively and confidentially.

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 relevant State/Territory or relevant body representative or junior club or District /Group/ Region Member Protection Information 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/ district/group/region level, or involves people operating at the this 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 official e.g. Member Protection Information 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 Attachment [D1].

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 victimization

The NRL 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 relevant official 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 National Governing Body- National Rugby League for review and appropriate action, including possible disciplinary action against the complainant.

7.3 Mediation

The NRL 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 *relevant official* 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.

More information on the mediation process is outlined in Attachment [D2].

7.4 Tribunals

A Tribunal may be convened to hear a formal complaint:

- 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.

Our Tribunal procedure is outlined in Attachment [D4].

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 appeals process is outlined in Attachment [D4].

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 to which this policy applies, to have been found to have:

- a) Breached the codes of behaviour (see part B);
- b) Brought the sport and/or the National Rugby League and its affiliates into disrepute;
- c) Failing to follow the National Rugby League policies and procedures for the protection, safety and welfare of children;
- d) Discriminated against, harassed or bullied (including cyber-bullying) any person;
- e) Victimised another person for reporting a complaint;
- f) Engaged in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;
- g) Verbally or physically assaulted another person, intimidated another person or created a hostile environment within the sport;
- h) Disclosed to any unauthorised person or organisation any National Rugby League or its affiliated organisations' information that is of a private, confidential or privileged nature;
- i) Made a complaint they **knew** to be untrue, vexatious, malicious or improper;
- j) Failed to comply with a penalty imposed after a finding that the individual or organisation has breached this policy;
- k) Failed to comply with a direction given to the individual or organisation during the discipline process.

9. Disciplinary measures

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed.

Any disciplinary measure imposed will be:

- Fair and reasonable
- Applied consistently with any contractual employment rules and requirements
- Be based on the evidence and information presented and the seriousness of the breach
- 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.

- 9.1.1 A direction that the individual make a verbal and/or written apology;
- 9.1.2 A written warning;
- 9.1.3 A direction that the individual attend counselling to address their behaviour;
- 9.1.4 A withdrawal of any awards, scholarships, placing's, records, achievements bestowed in any tournaments, activities or events held or sanctioned by *relevant body*;
- 9.1.5 A demotion or transfer of the individual to another location, role or activity;

- 9.1.6 A suspension of the individual's membership or participation or engagement in a role or activity;
- 9.1.7 Termination of the individual's membership, appointment or engagement;
- 9.1.8 A recommendation that NRL terminate the individual's membership, appointment or engagement;
- 9.1.9 In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- 9.1.10 A fine;
- 9.1.11 Any other form of discipline that the relevant body considers appropriate.

9.2 Organisation

If a finding is made that the National Rugby League or relevant body has breached its own or this Member Protection Policy, one or more of the following forms of discipline

- 9.2.1 A written warning;
- 9.2.2 A fine;
- 9.2.3 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;
- 9.2.4 A direction that any funding granted or given to it by the Australian Rugby League Commission cease from a specified date;
- 9.2.5 A direction that the Australian Rugby League Commission cease to sanction events held by or under the auspices of that organisation;
- 9.2.6 A recommendation to Australian Rugby League that its membership of the national body or peak association be suspended or terminated in accordance with the relevant constitution or rules;
- 9.2.7 Any other form of discipline that the national body or peak organisation 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

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 an organisation that is affiliated with the National Rugby League or its affiliated state leagues.

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

Child abuse means relates to children at risk of harm (usually by adults, sometimes by other children) and is 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).

Complainant means the person making a complaint.

Independent 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. The person's / representative that are appointed must not be related to the issue and has no relationship to any individuals involved.

Junior means a person under the age of eighteen (18) years who is participating in an activity of the National Rugby League and/or its affiliated organisations.

Member means a registered member of the National Rugby League and its affiliated organisations, together with coaches, officials, paid or unpaid administrators and volunteers of those organisations.

Member protection is a term used by the Australian sport industry to describe the practices and procedures that protect members – both individual members such as players, coaches and officials, and the member organisations such as clubs, state 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)- The Member Protection Information Officers (MPIOs) are the persons responsible for providing information and options to an individual making a complaint or raising a concern, as well as support during the process. They are NOT the person who investigates matters, advises or advocates for the complainant.

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).

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)*:

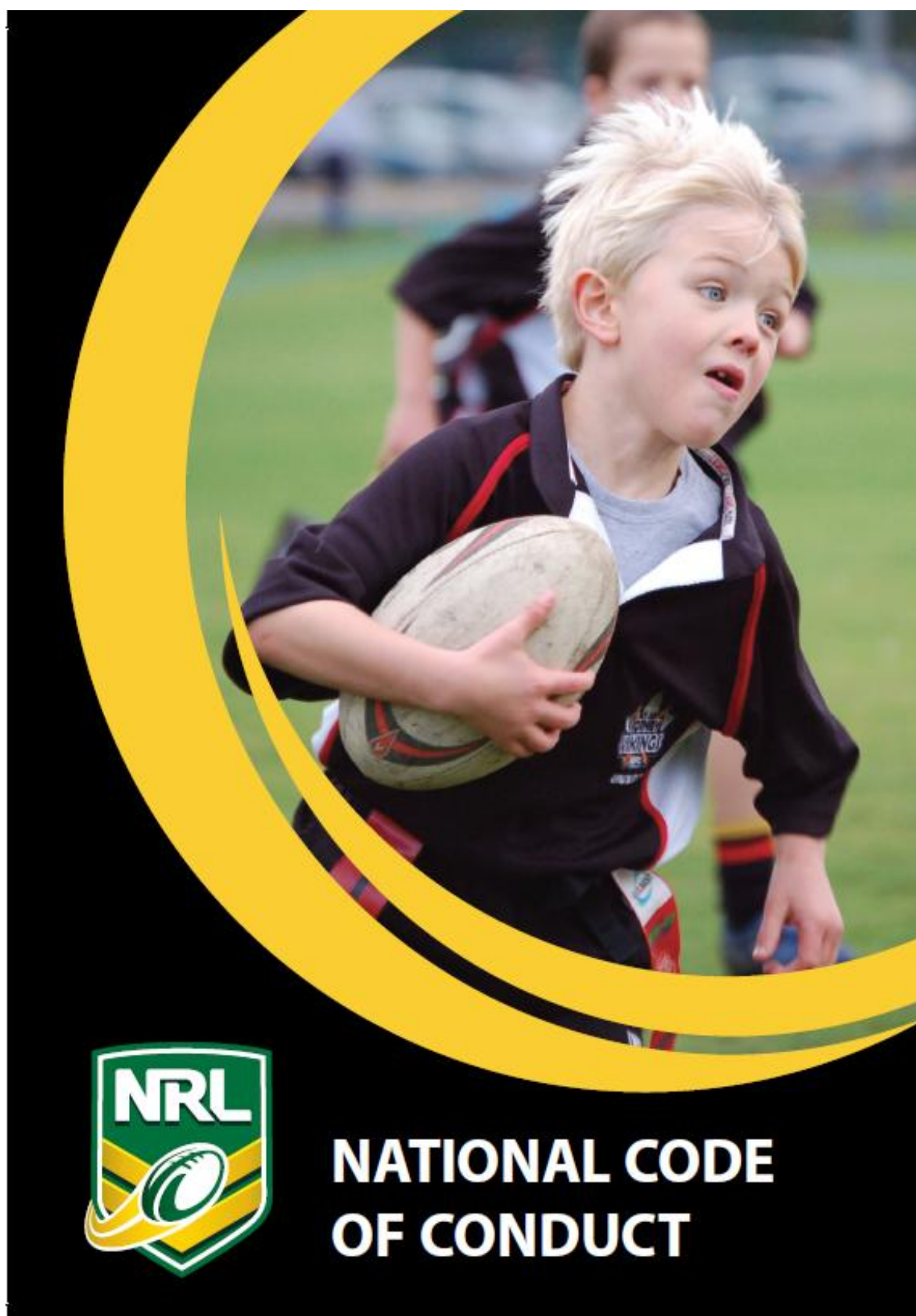
- Rape
- Indecent assault
- Sexual assault

- Assault with intent to have sexual intercourse
- Incest
- Sexual penetration of a child under the age of 16
- Indecent act with a child under the age of 16
- Sexual relationship with a 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 a 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.

Young People/person means people in the 13 – 18 year age group

9. Other Resources Available	
Description	Available From
Australian Sports Commission – Ethics in Sport Material	Leverrier Crescent BRUCE, ACT, 2617 Phone: 02 6214 1111 Website: www.ausport.gov.au/ethics
Play By The Rules Website	www.playbytherules.net.au

PART B: CODE OF CONDUCT



NATIONAL CODE OF CONDUCT

Introduction

The Rugby League Code of Conduct provides all participants – players, parents, coaches, referees, spectators and officials – with some simple rules that assist in delivering a safe and positive environment to everyone involved in the game.

Within that safe environment, every Rugby League participant has the best chance to enjoy the game. By accepting the standards of behaviour in the Code, we provide opportunities for young boys and girls to grow on the field – we build good players, good citizens and good communities in which Rugby League is a social asset.

I strongly recommend that everyone connected with Rugby League adopts these rules as an essential part of the way they contribute to our great game.



John Grant
Chairman Australian Rugby League Commission

General Principles

All registered players; accredited persons – coaches, first aid and Leaguesafe Officers; referees and touch judges; Officials – club, league or association staff and volunteers, ground managers and duty officials; parents/carers of players, sponsor representatives and club supporters; members of the general public attending as spectators. Every participant should:

- Discourage all instances of unsportsmanlike behaviour, foul or illegal play, or acts of violence, both on and off the field;
- Respect the rights, dignity and worth of every person regardless of their gender, ability / disability, sexual orientation, cultural background or religion;
- Condemn the use of recreational and performance enhancing drugs and doping practices; their use endangers the health of players and is contrary to the concept of fair play.
- Understand that cyber-bullying, which includes negative or demeaning comments, status posts, personal messages or emails, is deemed as a serious form of harassment, and will not be tolerated;
- Be aware that no coach, player, Club official or match official is allowed to participate, or be directly or indirectly involved in any way, in gambling in relation to matches/competitions in which they are involved. NRL employees, NRL Club employees, players, player managers and match officials are bound by the NRL's rules in relation to sports betting.

CODE OF CONDUCT – PLAYER

- Be a good sport. Respect all good play whether from your team or the opposition and shake hands with, and thank, the opposition players and officials after the game – win, lose or draw.
- Participate for your own enjoyment and benefit.
- Always respect the referee's decision.
- Never become involved in acts of foul play.
- Honour both the spirit and letter of the competition rules and live up to the highest ideals of ethics and sportsmanship; avoid gamesmanship, and respect the traditions of the game.
- Never engage in disrespectful conduct of any sort including profanity, sledging, obscene gestures, offensive remarks, trash-talking, taunting or other actions that are demeaning to other players, officials or supporters.
- Care for and respect the facilities and equipment made available to you during training and competition.
- Safeguard your health; don't use any illegal or unhealthy substances.
- Recognize that many officials, coaches and referees are volunteers who give up their time to provide their services. Treat them with the utmost respect.
- Do not bet or otherwise financially speculate, directly or indirectly, on the outcome or any other aspect of a Rugby League match or competition in which you are involved.

Endorsement

Whether you play in the local U7's or for Australia, there are certain standards that you have to live up to.

Rugby League is one of the world's great games and if every player remembers, and practises, these few simple rules, the game will continue to prosper.

I fully endorse the player's section of this Code of Conduct.

Best wishes,

Darren Locker
Former Player – Brisbane Broncos, Queensland & Australia



CODE OF CONDUCT – COACH

- Actively discourage foul play and/or unsportsmanlike behaviour by players.
- Seek to maximise the participation and enjoyment of all players regardless of ability; avoid the tendency to over-use a talented player; treat all players as equals, regardless of their talent.
- Show concern and caution towards all sick and injured players. Follow the advice of a physician and/or sports trainer to the letter when determining when an injured player is ready to recommence training or playing.
- Teach players that an honest effort and competing to the best of their ability is as important as victory.
- Maintain appropriate, professional relationships with players at all times.
- Maintain a thorough knowledge of the Laws of the Game and keep abreast of current coaching methods; maintain or improve your current accreditation level.
- Always consider the health, safety and welfare of the players.
- Teach young players to realise that there is a big gap between their play and the professional game; do not coach them as if they are professionals.
- Ensure that your coaching reflects the level of the competition being played; do not be a "winner-at-all-cost" coach.
- As coach, conduct yourself at all times in a manner, and in all situations, that shows leadership, respect for the game of Rugby League and respect for all those that are involved in the game – the players, officials, the fans, the parents, the referees and the media.

Endorsement

As a coach, you have a particular responsibility to ensure that, through your words and actions, you strive to build the positive character of your players, as well as their skills.

You also have to appreciate and maintain the traditions, image and integrity of the game.

Be gracious in victory and accept defeat with dignity, and remember to always promote sportsmanship over gamesmanship.

Good luck!



Tim Sheens
Coach - Australia & West Tigers

Remember that junior players participate for pleasure and mateship. Winning is only part of the fun.

4

CODE OF CONDUCT – REFEREE/ TOUCH JUDGE/OFFICIAL

- Be impartial! Also, be consistent, objective and courteous.
- Place the safety and welfare of the players above all else; be alert to minimise dangerous physical play, fair or foul, especially in junior matches.
- Accept responsibility for all actions taken.
- Avoid any form of verbal contact with coaches, team officials, parents and spectators during play.
- Avoid any situation which may lead to a conflict of interest, both on and off the field.
- Maintain an appropriate level of fitness for the standard of game at which you are officiating.
- Condemn all and every instance of unsportsmanlike, foul or unfair play.
- Set a good example by the way you dress, speak and act towards players, coaches, officials, parents and spectators.
- Show concern and caution towards sick and injured players.
- Officiate to the age and/or experience of the players.

Endorsement

As a referee, you are an integral part of the game and you can help each player enjoy the game by demonstrating a positive attitude, by promoting good sporting behaviour, by being consistent and by communicating in a fair and honest manner.

Try to clearly express your decisions to the players in a way that can be seen and understood.

Keep up to date with the latest trends in officiating and remember, there is no substitute for a thorough knowledge of the Laws of the Game and your own integrity.

Bill Harrigan
Former NRL, Origin & Test Referee

Referees are the key to the successful application of the Safepay Code in Junior Rugby League.

5

CODE OF CONDUCT – SPECTATOR/PARENT

- Condemn all violent or illegal acts, whether they are by players, coaches, officials, parents or spectators.
- Respect the referee's decisions – don't complain or argue about decisions during or after a game.
- Behave! Unsportsmanlike language, harassment or aggressive behaviour will not be tolerated.
- Encourage players to play by the rules and to respect opposition players and officials.
- Never ridicule or scorn a player for making a mistake – respect their efforts.
- Understand that sport is part of a total life experience, and the benefits of involvement go far beyond the final score of a game.
- Participate in positive cheering that encourages the players in the team you are supporting; do not engage in any cheering that taunts or intimidates opponents, their fans or officials.
- Remember that children participate in Rugby League for their own enjoyment, not yours!
- At all times, follow the directions of the Ground Manager and/or other duty officials.
- Never arrive at a Junior League game under the influence of alcohol, never bring alcohol to a Junior League game and only drink alcohol, if it is available, in a responsible manner in the designated licensed area.

Endorsement

I've always loved Rugby League – going to the games and supporting my favourite teams. But I don't love it when fans get unruly or cause trouble on the sidelines.

As a spectator, be sure to do the right thing. Enjoy the game and let the players know that win or lose, you support their efforts.

As a parent, lead by example, promote good sportsmanship and be a positive role model for your children.

I fully support this Code of Conduct.



Layne Beachley

Layne Beachley
Rugby League fan and seven-time ASP World Surfing Champion

Children learn best by example.

6

CODE OF CONDUCT – SUMMARY OF OFFENCES

Note – Clubs are responsible for the conduct of their players, parents/carers of players, coaches, officials and spectators.

No person(s) attending a match, function or event shall:

- (a) Use offensive or obscene language to any participant;
- (b) Enter the Field of Play during the course of a match without the prior approval of the Ground Manager appointed by the home club and/or League;
- (c) Excessively dispute the decision of a referee or touch judge either during or after a match;
- (d) Assault or act with aggression to any person/s;
- (e) Behave in a way contrary to the Code of Conduct and/or the spirit of the game;
- (f) Behave in a way which disturbs the enjoyment of a match, function or event by any other person/s, or brings discredit to the home club and/or League;
- (g) Act in such a way as to exhibit racial intolerance, by language or other conduct, to any person/s;
- (h) Refuse to accept the reasonable direction of the Ground Manager, official of the team/club which that person is supporting, or official of the home club and/or League.

Clubs are responsible for the conduct of their players, parents/carers of players, coaches, officials and club supporters.

Breaches of the Rugby League Code of Conduct may result in penalties, including but not limited to:

- Suspension of a match and/or
- Termination of a match (including potential forfeiture of competition points) and/or
- Monetary fines and/or
- Suspension of a participant on a temporary or permanent basis and/or
- Suspension of a club, League or Association on a temporary or permanent basis.

These penalties are in addition to any penalty which may be imposed by the home League's judiciary.

Breaches of this Code of Conduct may cause a match to be stopped!

7

PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

We are committed to providing a child-safe environment. As part of this, we will recruit staff and volunteers who do not pose a risk to children.

Employment screening and Working with Children Checks can involve criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children and young people.

Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory and South Australia.

National Rugby League, including our state associations and clubs, will meet the requirements of the relevant state or territory Working with Children Check laws.

Employment screening requirements will also be followed in the Australian Capital Territory and Tasmania.

Individuals travelling with children and young people to another state or territory in a work-related capacity must comply with the screening requirements of that particular state or territory.

C1: Employment Screening

C2: Member Protection Declaration

C3: Working with Children Check Requirements

Screening requirements for Tasmania only. All other States refer to C3

C1: EMPLOYMENT SCREENING REQUIREMENTS

This attachment explains the process we will use to screen the people associated with our organisation who work, coach or have regular unsupervised contact with children and young people under the age of 18. We require our state associations and clubs to do the same.

1. We will identify all positions where people work, coach or have regular unsupervised contact with children and young people under the age of 18.
2. Before a person is offered such a position, we will ask him or her to complete a Member Protection Declaration (“MPD”) (see *Attachment C2*).
3. If a person is unable to provide a MPD, or if he or she cannot satisfactorily answer the questions in the MPD, we will ask for an explanation. We will then make an assessment about the person’s suitability to work with children and young people. If we are not fully satisfied, we will not appoint him or her to the position.
4. Where possible, we will check a person’s referees (verbal or written) about his or her suitability for the position.
5. We will ask each person to sign a consent form for a national police check and explain why our policy requires a check to be undertaken.
6. If a person does not agree to a national police check, we will make an assessment about his or her suitability to work with children and young people.
7. If the national police check indicates that a “relevant offence” has been recorded, we will ask the person to provide an explanation. We will then make an assessment about the person’s suitability to work with children and young people. If we are not fully satisfied, we will not appoint him or her to the position.
8. If it is not practical to complete the national police check prior to the person starting in the position, we will complete the check as soon as possible. We will act immediately if the results of the check highlight any issues of concern.
9. We will protect the privacy of each person who undertakes the screening process and keep all information we obtain strictly confidential.
10. We will return all the information collected as part of the screening process (e.g. completed MPD forms, national police checks and referee reports) to the relevant person if he or she is not appointed to the position. Alternatively, all records will 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 the documents to be returned to him or her. The records of all people appointed to our organisation will be kept on file in a secure location.

C2: MEMBER PROTECTION DECLARATION

The National Rugby League has a duty of care to all those associated with our organisation and our sport. It is a requirement of our Member Protection Policy that we check the background of each person who works, coaches or has regular unsupervised contact with children and young people under the age of 18.

I (name) of

..... (address) born/...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.
4. I am not currently serving a sanction for an anti-doping rule violation under an Australian Sports Anti-Doping Authority (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 National Rugby League may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the relevant official of the organisation engaging me immediately upon becoming aware that any matter set out above has changed.

Declared in the state/territory of

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

Consent of parent/guardian (on behalf of a person under the age of 18)

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:

C3: WORKING WITH CHILDREN CHECK REQUIREMENTS

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- criminal history checks
- signed declarations
- referee checks, and
- other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children Check requirements vary across Australia. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: www.playbytherules.net.

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

State/Territory	Legal Requirements
Queensland	<p>In Queensland people working or volunteering with children need to hold a Blue Card.</p> <p>The Commission for Children and Young People and Child Guardian is responsible for administering and conducting criminal history checks on people who want to work with children to determine whether or not they are eligible to hold a Blue Card.</p> <p><i>Contact the Commission for Children and Young People and Child Guardian about the "Blue Card" system.</i> <i>Website: www.ccypcg.qld.gov.au</i> <i>Phone: 1800 113 611</i></p>
New South Wales	<p>In 2013 a new Working with Children Check starts in NSW under the new check:</p> <ul style="list-style-type: none"> • workers and volunteers will apply for their own check once every five years • employers will verify a child-related worker's or volunteer's clearance number • the same Working With Children Check will apply to everyone • everyone with a clearance will be continuously monitored for serious sex or violence offences. <p><i>Contact the Commission for Children and Young People</i> <i>Website: www.kids.nsw.gov.au</i> <i>Phone: 02 9286 7276</i></p>
Western Australia	<p>In Western Australia a Working with Children Check is compulsory for people who carry out child-related work in Western Australia.</p> <p>The check aims to protect children by deterring people from working with children when they have criminal records that indicate they may harm children; and by preventing people with such records from gaining positions of trust in paid and voluntary work with children.</p> <p><i>Contact the Department for Child Protection</i> <i>Website: www.checkwwc.wa.gov.au</i> <i>Phone: 1800 883 979</i></p>
Victoria	<p>The Victorian Government has introduced the Working with Children Check, which is compulsory for people who wish to work with or volunteer with children.</p>

	<p>The check seeks to protect children from harm by requiring people to undertake a criminal history check before they start work in an organisation.</p> <p><i>Contact the Department of Justice</i> <i>Website: www.justice.vic.gov.au/workingwithchildren</i> <i>Phone: 1300 652 879</i></p>
South Australia	<p>Under the Children's Protection Act (Section 8B) people in SA who work in jobs which require regular contact with children are required to obtain police clearance before they commence employment.</p> <p>A National Police Certificate application form is available from the South Australian Police Department.</p> <p><i>Contact the Department for Education and Child Development</i> <i>Website: www.families.sa.gov.au/childsafe</i> <i>Phone: 08 8463 6468</i></p>
Northern Territory	<p>In the NT the law has recently changed. From 1 March 2011 it has been mandatory for people who have contact or potential contact with children to hold a Working with Children Clearance Notice and an Ochre Card.</p> <p>SAFE NT administers the clearance procedure which involves an employment and criminal history check. People who have previously had a Criminal History Check to work with children will still be required to apply for the Working with Children Clearance if they work certain specified areas of employment.</p> <p><i>For more information on the requirements visit www.workingwithchildren.nt.gov.au or contact the Northern Territory Screening Authority on 1800 SAFE NT (1800 723 368)</i></p>
Australian Capital Territory	<p>The Working with Vulnerable People (Background Checking) Act 2011 (the Act) commenced on 8 November 2012</p> <p>Individuals working or volunteering with other groups of vulnerable people will need to register between years 2 and 6 of the schemes operation.</p> <p>The Act aims to reduce the risk of harm or neglect to vulnerable people in the A.C.T.</p> <p>The Act requires people who have contact with vulnerable people while engaging in regulated activities and services to register with the Office of Regulatory Services (ORS).</p> <p><i>For more information Contact the Office of Regulatory Services</i> <i>Website: www.ors.act.gov.au/community/working_with_vulnerable_people</i> <i>Phone: 02 6207 3000</i></p>

Travelling to other states or territories

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

In October 2011 at the Standing Council on Community, Housing and Disability Services, Commonwealth, state and territory ministers agreed to introduce, by late 2012, national exemptions to Working with Children Checks for paid employees and volunteers who are required to cross state or territory borders for work related purposes.

These exemptions will be for up to 30 days in any 12 month period and will enable workers to participate in national and inter-jurisdictional activities on a short-term basis. This means that volunteers and workers with a valid check in their home state or territory will be able to participate in short-term activities across state and territory borders without the need for additional checks.

The Australian Sports Commission will provide more information as soon as it becomes available.

PART D: COMPLAINT HANDLING PROCEDURES

The National Rugby League aims to support people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way.

We will keep all complaints confidential. We will not provide information about the complaint to another person without the complainant's consent, except if the law requires us disclose this information or if it is necessary to properly resolve the complaint.

To ensure **fairness for everyone involved**, we will provide the details of the complaint to the person or people against whom the complaint has been made and ask for their response. As a result, it may be difficult for us to resolve complaints made anonymously.

We will provide **informal and formal procedures** to resolve complaints. Individuals and organisations can also **complain to external organisations** under anti-discrimination, child protection and other relevant laws.

Informal approaches

Step 1: Talk with the other person (if safe, reasonable and appropriate)

If you feel confident to do so, you can approach the other person to discuss the issues and try and resolve the problem directly.

Step 2: Contact a Member Protection Information Officer

We encourage you to talk with a Member Protection Information Officers (MPIOs) if:

- the first step is not possible or reasonable
- you are not sure how to handle the problem by yourself
- you want to talk confidentially with someone and find out what options are available to resolve the problem, or
- the problem continues after you approached the other person.

The names and contact details for MPIOs are available at www.playnrl.com.

The MPIO will:

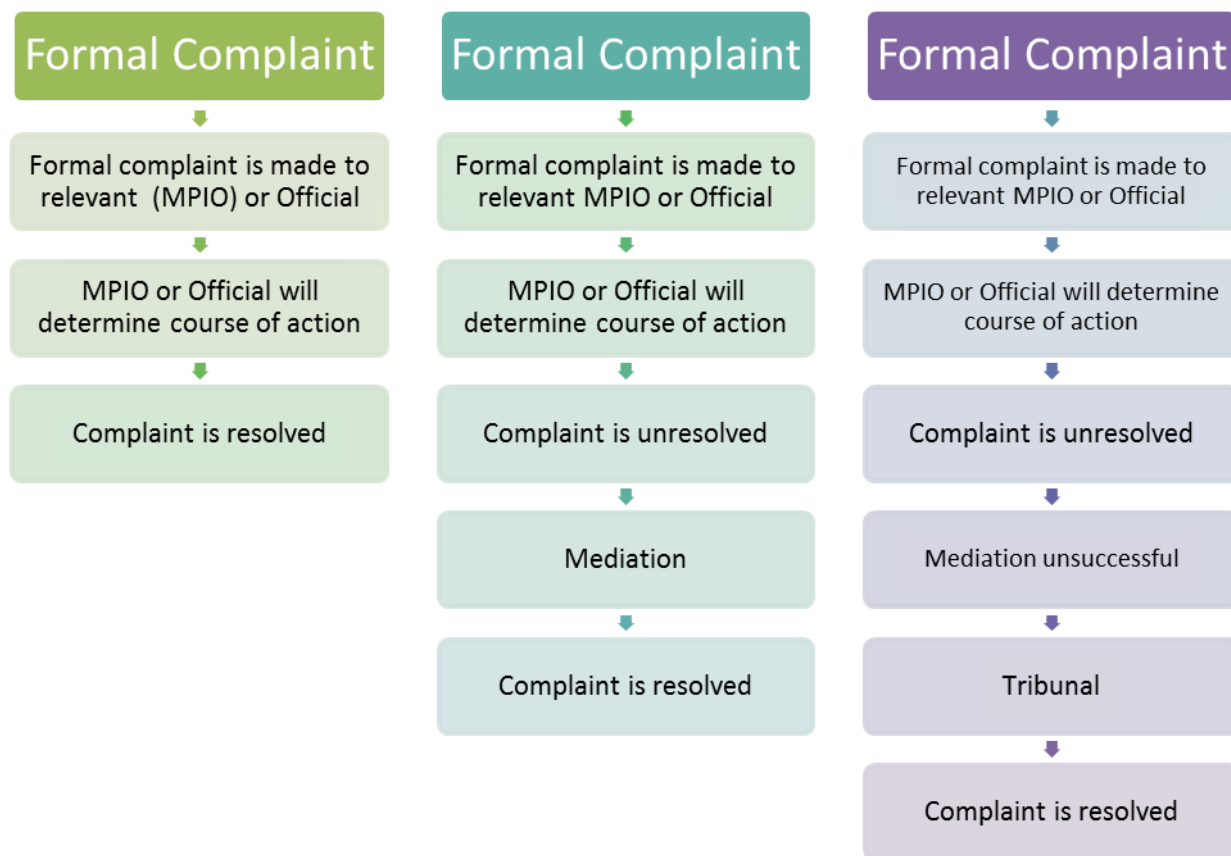
- take confidential notes about your complaint
- try to find out the facts of your complaint
- ask how you would like the problem to be resolved and if you need support
- provide different options for you to resolve the problem
- act as a support person, if you wish
- refer you to an appropriate person (e.g. a mediator) to help you resolve the problem, if necessary
- inform the relevant government authorities and/or police, if required by law to do so
- maintain confidentiality.

Step 3: Decide how to resolve the problem

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 resolve the problem yourself, with or without a support person
- to resolve the problem with the help of someone impartial, such as a mediator
- to resolve the matter through a formal process.

COMPLAINTS PROCEDURE FLOWCHART



* Member Protection Information Officer (MPIO)

D2: MEDIATION

Mediation is a process that allows the people involved in a complaint to talk through the issues with an impartial person – the mediator – and work out a mutually agreeable solution.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to talk through the issues and makes sure that the process is as fair as possible for all concerned.

Our approach to mediation follows the steps set out below.

1. The Designated Official will appoint a mediator to help resolve the complaint. This will be done under the direction of the NRL and in consultation with the complainant and the respondent(s).
2. The mediator will talk with the complainant and respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
3. All issues raised during mediation will be treated confidentially. We also respect the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. If the complaint is resolved by mediation, the mediator will prepare a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect the terms of the agreement.
5. If the complaint is not resolved by mediation, the complainant may:
 - write to designated official to request that the NRL reconsider the complaint in accordance with **Step 3**
 - approach an external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter

We recognise that there are some **situations where mediation will not be appropriate**, including:

- when the people involved have completely different versions of the incident
- when one or both parties are unwilling to attempt mediation
- when the issues raised are sensitive in nature
- when there is a real or perceived power imbalance between the people involved
- matters that involve serious, proven allegations.

D3: INVESTIGATION PROCESS

There will be times when a complaint will need to be investigated and evidence gathered.

An investigation helps determine the facts relating to the incident, as well as possible findings and recommendations.

Any investigation that we conduct will be fair to all people involved.

If we decide that a complaint should be investigated, we will follow the steps outlined below.

1. We will provide a written brief to the investigator that sets out the terms of engagement and his or her roles and responsibilities. The investigator will:
 - interview the complainant and record the interview in writing
 - provide full details of the complaint to the respondent(s) so that they can respond
 - interview the respondent(s) to allow them to answer the complaint and record the interview in writing
 - obtain statements from witnesses and collect other relevant evidence, if there is a dispute over the facts
 - 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)
 - **mischievous, vexatious or knowingly untrue.**
 - provide a report to the relevant delegate or tribunal documenting the complaint, the investigation process, the evidence, the finding(s) and, if requested, any recommendations.
2. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
3. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person or adviser .

The complainant and the respondent(s) may have the right to appeal any decision based on the investigation. Information on our appeals process is in [Attachment D4].

D4: TRIBUNAL PROCEDURES

We will follow the steps set out below to hear formal complaints made under our Member Protection Policy **(organisations should check and ensure that this procedure accurately reflects their tribunal rules and procedures, constitution and by – laws.)**

Preparing for a Tribunal hearing

1. A Tribunal panel will be established, to hear a complaint that has been referred to it by relevant designated officer. The number of Tribunal panel members required to be present throughout the hearing will be a minimum of three.
2. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by relevant official relating to the complaint/allegations.
3. The Tribunal hearing will be held as soon as practicable. However, adequate time must be provided for the respondent(s) to prepare for the hearing.
4. The Tribunal panel will not include any person who has any actual or perceived conflict of interest or bias regarding the complaint/allegations.
5. The relevant official will inform the respondent(s) in writing that a Tribunal hearing will take place. The notice will outline:
 - that the person has a right to appear at the Tribunal hearing to defend the complaint/allegations
 - the details of the complaint and of all allegations, as well as the clause of any policy or rule that has allegedly been breached
 - the date, time and venue of the Tribunal hearing
 - that either verbal or written submissions can be presented at the Tribunal hearing
 - that witnesses may attend the Tribunal hearing to support the position of the respondent/s (statutory declarations of witnesses not available to attend and from character witnesses may also be provided to the Tribunal hearing)
 - an outline of any possible penalties that may be imposed if the complaint is found to be true
 - that legal representation will not be allowed. [If the respondent is a minor, he or she should have a parent or guardian present.]

A copy of any information/documents that have been given to the Tribunal panel (e.g. investigation report findings) will be provided to the respondent(s).

The respondent(s) will be allowed to participate in all National Rugby League activities and events, pending the decision of the Tribunal, including any available appeal process, unless the relevant official believes it is necessary to exclude the respondent/s from all or some activities and events because of the nature of the complaint.

6. The relevant official will notify the complainant in writing that a Tribunal hearing will take place. The notice will outline:
 - that the person has a right to appear at the Tribunal hearing to support their complaint
 - the details of the complaint, including any relevant rules or regulations the respondent is accused of breaching
 - the date, time and venue of the Tribunal hearing
 - that either verbal or written submissions can be presented at the Tribunal hearing
 - that witnesses may attend the Tribunal hearing to support the complainant's position (statutory declarations of witnesses not available to attend may also be provided to the Tribunal Hearing)
 - that legal representation will not be allowed. [If the complainant is a minor, he or she should have a parent or guardian present.]

A copy of any information / documents given to the Tribunal (e.g. investigation report findings) will be provided to the complainant.

7. If the complainant believes the details of the complaint are incorrect or insufficient, he or she should inform the relevant official as soon as possible so that the respondent(s) and members of the Tribunal panel can be properly informed of the complaint.
8. If possible, the Tribunal panel should include at least one person with knowledge or experience of the relevant laws/rules (e.g. anti-discrimination).
9. The following people will be allowed to attend the Tribunal hearing:
 - Tribunal panel members
 - the respondent(s)
 - the complainant
 - any witnesses called by the respondent(s)
 - any witnesses called by the complainant
 - any parent/guardian or support person required to support the respondent or the complainant.
10. If the respondent(s) is not present at the set hearing time and the Tribunal chairperson considers that no valid reason has been presented for this absence, the Tribunal hearing will continue subject to the chairperson being satisfied that all Tribunal notification requirements have been met.
11. If the Tribunal chairperson considers that there is a valid reason for the non-attendance of the respondent(s), or the chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal hearing will be rescheduled to a later date.
12. The Tribunal chairperson will inform the relevant official of the need to reschedule the hearing and the relevant official will arrange for the Tribunal to be reconvened.
13. The Tribunal chairperson will read out the complaint, ask each respondent if he or she understands the complaint and if he or she agrees or disagrees with the complaint.
14. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal when determining any disciplinary measures or penalties. **(Ensure the Tribunal has the powers/authorisation to impose any disciplinary measures under your constitution)**
15. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Reference may be made to brief notes.
 - The complainant may call witnesses.
 - The respondent may question the complainant and any witnesses.
16. The respondent will then be asked to respond to the complaint.
 - Reference may be made to brief notes.
 - The respondent may call witnesses.
 - The complainant may ask questions of the respondent and any witnesses.
17. The complainant and respondent(s) may be present when evidence is presented to the Tribunal hearing. Witnesses may be asked to wait outside the hearing until they are required.
18. The Tribunal may:
 - consider any evidence, and in any form, that it deems relevant
 - question any person giving evidence
 - limit the number of witnesses presented to those who provide new evidence
 - require (to the extent it has power to do so) the attendance of any witness it deems relevant
 - act in an inquisitorial manner in order to establish the truth of the issue/complaint before it.
19. Video evidence, if available, may be presented. Arrangements must be made entirely by the person(s) wishing to offer this type of evidence.

20. If the Tribunal panel considers that at any time during the hearing there is any unreasonable or intimidatory behaviour from anyone, the Tribunal chairperson may deny further involvement of that person in the hearing.
21. After all the evidence has been presented, the Tribunal will make its decision in private. It must decide whether the complaint has, on the balance of probabilities, been substantiated. As the seriousness of the allegation increases, so too must the level of satisfaction of the Tribunal that the complaint has been substantiated. The respondent(s) have the opportunity to address the Tribunal on disciplinary measures which may be imposed. Any disciplinary measures imposed must be reasonable in the circumstances.
22. All Tribunal decisions will be by majority vote.
23. The Tribunal chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed. Alternatively, he or she may advise those present that the decision is reserved and will be handed down in written form at a later time.
24. Within 48 hours, the Tribunal chairperson will:
 - forward a notice of the Tribunal's decision to the relevant official, including any disciplinary measures imposed.
 - forward a letter reconfirming the Tribunal's decision to the respondent(s), including any disciplinary measures imposed. The letter should also outline the process and grounds for an appeal, if allowed. If matter is especially complex or important, the Tribunal chairperson may inform the parties in writing within 48 hours that the decision will be delayed for a further 48 hours.
25. The Tribunal does not need to provide written reasons for its decision.

APPEALS PROCEDURE

26. If a complainant or a respondent(s) is not satisfied with the outcome of a mediation process or a Tribunal decision, he or she can lodge an appeal to the National Rugby League on one or more of the following grounds:
 - 26.1 that a denial of natural justice has occurred
 - 26.2 that the disciplinary measure/s imposed is unjust and/or unreasonable
 - 26.3 that the decision was not supported by the information/evidence provided at the mediation or to the Tribunal Hearing
27. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the [insert relevant official under your Constitution e.g. CEO or a Secretary] within [insert number] days of the decision being made. [An appeal fee of \$[insert amount] shall be included with the letter of intention to appeal.]
28. If the letter of appeal is not received by the [insert relevant official under your Constitution] within this time, the right of appeal will lapse. [If the letter of appeal is received but the appeal fee is not received within this time, the appeal will also lapse.]
29. The letter of appeal and the notice of the Tribunal's decision (clause 24) will be forwarded to the [insert relevant official or committee] to review and to decide whether there are sufficient grounds for the appeal to proceed. The [insert relevant official or committee] may invite any witnesses to the meeting that he or she believes are required to make an informed decision.
30. If the appellant has not shown sufficient grounds for an appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision. [The appeal fee will be forfeited.]
31. If the appeal is accepted, an Appeal Tribunal with new panel members will be convened to rehear the complaint, [and the appeal fee will be refunded].
32. The Tribunal hearing procedure shall be followed for the Appeal Tribunal.
33. The decision of the Appeal Tribunal will be final.

PART E: 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.

Attachment E1: CONFIDENTIAL RECORD OF INFORMAL COMPLAINT

Name of person receiving complaint	Date: / /	
Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
When/where did the incident take place?		
What are the facts relating to the incident, as stated by complainant?		
What is the nature of the complaint? (category/basis/grounds) Tick more than one box if necessary	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other	
What does the complainant want to happen to resolve the issue?		
What other information has the complainant provided?		
What is the complainant going to do now?		

This record and any notes must be kept in a confidential and safe place. Do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be given to the designated official as referred to in complaint resolution section.

Attachment E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT

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

Formal resolution procedures followed (outline)	
If investigated:	Finding
If heard by Tribunal:	Decision Action recommended
If mediated:	Date of mediation: Both/all parties present Agreement Any other action taken
If decision was appealed	Decision Action recommended
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve
Completed by	Name: Position: Signature: _____ Date / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept in a confidential and safe place. If the complaint is of a serious nature, or if it is taken to and/or dealt with at the national level, the original record must be provided to the National Rugby League and a copy kept with the organisation where the complaint was first made.

Attachment E3: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au.

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

All people working with *the National Rugby League* in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the Head of Community so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

- The Head of Community will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is in paid employment with NRL.
- The Head of Community will consider what services may be most appropriate to support the child and his or her parent/s.
- The Head of Community will consider what support services may be appropriate for the alleged offender.
- The Head of Community will put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

- Up to three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)
 - a child protection investigation (conducted by the relevant child protection agency)
 - a disciplinary or misconduct inquiry/investigation (conducted by NRL).
- Regardless of the findings of the police and/or child protection agency investigations, NRL will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.
- Head of Community of NRL will consider all information relevant to the matter – including any findings made by the police, the child protection authority and/or court – and then set out a finding, recommend actions and the rationale for those actions.
- If disciplinary action is recommended, we will follow the procedures set out in our Member Protection Policy.
- We will provide the relevant government agency with a report of any disciplinary action we take, where this is required.

Contact details for advice or to report an allegation of child abuse

Australian Capital Territory	
ACT Police Non-urgent police assistance Ph: 131 444 www.afp.gov.au	Office for Children, Youth and Family Services www.dhcs.act.gov.au/ocyfs/services/care_and_protection Ph: 1300 556 729
New South Wales	
New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au	Department of Community Services www.community.nsw.gov.au Ph: 132 111
Northern Territory	
Northern Territory Police Non-urgent police assistance Ph: 131 444 www.pfes.nt.gov.au	Department of Children and Families www.childrenandfamilies.nt.gov.au Ph: 1800 700 250
Queensland	
Queensland Police Non-urgent police assistance Ph: 131 444 www.police.qld.gov.au	Department of Communities www.communities.qld.gov.au/childsafety Ph: 1800 811 810
South Australia	
South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au	Department for Education and Child Development www.families.sa.gov.au/childsafes Ph: 131 478
Tasmania	
Tasmania Police Non-urgent police assistance Ph: 131 444 www.police.tas.gov.au	Department of Health and Human Services www.dhhs.tas.gov.au/children Ph: 1300 737 639
Victoria	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 www.police.vic.gov.au	Department of Human Services www.dhs.vic.gov.au Ph: 131 278
Western Australia	
Western Australia Police Non-urgent police assistance Ph: 131 444 www.police.wa.gov.au	Department for Child Protection www.dcp.wa.gov.au Ph: (08) 9222 2555 or 1800 622 258

Attachment E4:**CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION**

- Before completing this form, please ensure that the steps outlined in *[Attachment E3]* have been followed and advice has been sought from the police and/or the relevant child protection agency.

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

CEO contacted	Who: When:
Police investigation (if any)	Finding:
Child protection agency investigation (if any)	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

- **This record and any notes must be kept in a confidential and safe place.** If required, they should be provided to the police and/or the relevant child protection agency.