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## **Preface**

The Australian Fencing Federation Ltd (**AFF**) is committed to providing a safe, fair and inclusive environment for all of its members and participants engaging in AFF activities.

It is a fundamental right of our members and participants to be treated with respect and dignity, and to be safe and protected from discrimination, harassment and abuse while participating in our sport.

The AFF National Member Protection Policy (**Policy**) aims to ensure that all people engaging in fencing activities maintain responsible behaviour so that everyone can participate in a positive environment and enjoy the sport.

This Policy informs our stakeholders of their legal and ethical rights and responsibilities and the standards of behaviour that are expected. It also covers the care and protection of children participating in our sport.

This Policy represents the AFF's commitment to encouraging an environment where the rights of stakeholders are protected and appropriate standards are maintained to ensure a safe and enjoyable sporting experience.

**Vincent Elias** President, Australian Fencing Federation Ltd ACN 161 544 752.

## Part A: National Member Protection Policy

### 1. Introduction

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The AFF's vision is to have fencing recognised as an exciting, accessible and challenging sport providing suitable opportunities for participation at all levels – recreational, competitive and elite.

### 2. Purpose of this Policy

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This National Member Protection Policy (**Policy**) aims to assist the AFF to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It outlines our commitment to a person's right to be treated with respect and dignity and to be safe and protected from discrimination, harassment and abuse. This Policy informs everyone involved in our sport of their rights and responsibilities and the standards of behaviour that are expected of them.

The attachments to this Policy provide the procedures that support our commitment to minimising the risk of Discrimination, Harassment, child abuse and other forms of inappropriate behaviour from our sport. To the extent that the AFF has a separate Child Safe Policy, that policy should be read in conjunction with this Policy.

This Policy was approved by the AFF Board on 17 December 2019. Subject to the requirements of the AFF Constitution, this Policy is effective from 1 February 2020 and will operate until amended, repealed or replaced in accordance with the provisions of the AFF Constitution.

From the effective date of this Policy any existing issue, allegation or Complaint within the scope of this Policy will be dealt with under this Policy.

Copies of this Policy and its attachments can be obtained from the AFF website at [www.ausfencing.org](http://www.ausfencing.org).

### 3. To whom does this Policy apply?

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This Policy applies to anyone involved in the sport of fencing in Australia including (but not limited to) the following individuals and organisations participating in AFF events and activities, regardless of whether they are acting in a paid or unpaid/voluntary capacity:

- (a) the AFF;
- (b) individuals appointed or elected to the AFF's board, commissions, committees and working groups ;
- (c) employees, independent contractors and volunteers of the AFF;
- (d) Participants;
- (e) support personnel (including without limitation managers, physiotherapists, psychologists, masseurs and sport trainers) appointed to or selected to AFF teams or squads, competitions, tours, camps, training sessions or other events, held, sanctioned or otherwise supported by the AFF;;
- (f) referees, tournament management personnel and other Officials participating or otherwise involved in in AFF events and activities;
- (g) coaches and assistant coaches;

- (h) other personnel participating or otherwise involved in AFF events and activities, including without limitation tours, camps and training sessions, held, sanctioned or otherwise supported by the AFF;
- (i) Members of the AFF (including Member States, Affiliate Members and Life Members) and their members;
- (j) any other organisations affiliated with the AFF or a Member State; and
- (k) any other person including parents, guardians, spectators and sponsors to the full extent that is possible, including where such person agrees in writing (whether on a ticket, entry form or otherwise) to be bound by this Policy.

This Policy is made pursuant to clause 20.1 of the AFF Constitution and is binding on all Members pursuant to clause 20.2 of the AFF Constitution.

Each Member State must also undertake to ensure that all of their members, including any Affiliate Members (in respect of Member States) and individual members, are bound by this Policy and are made aware of the existence of this Policy and its contents and must provide written verification that this has occurred by 1 January each calendar year.

This Policy will be applied to any allegation or Complaint in respect of a person or organisation to whom this Policy applies which arose from an act or omission whilst this Policy applied to such person, organisation or Member.

#### **4. Organisation responsibilities**

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The AFF, its Member States and their Affiliated Members must:

- (a) adopt, implement and comply with this Policy;
- (b) ensure that this Policy is enforceable (including by making any necessary amendments to their constituent documents);
- (c) publish, distribute and promote this Policy and the consequences of any breaches;
- (d) promote and model appropriate standards of behaviour at all times;
- (e) deal with any Complaints made under this Policy in an appropriate manner;
- (f) deal with any breaches of this Policy (of which it is aware) in an appropriate manner;
- (g) recognise and enforce any penalty imposed under this Policy;
- (h) ensure that a copy of this Policy is available or accessible to all people and organisations to whom this Policy applies;
- (i) use appropriately trained people to receive and manage Complaints and allegations of inappropriate behaviour; and
- (j) monitor and review this Policy at least annually.

#### **5. Individual responsibilities**

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Individuals to whom this Policy applies are responsible for:

- (a) making themselves aware of the Policy and complying with its contents and standards of behaviour;

- (b) placing the safety and welfare of Children above other considerations and adhering to any separate policy of the AFF regarding child safety that may be in force from time to time;
- (c) being accountable for their behaviour;
- (d) not making false, misleading or vexatious claims against any other Member or person and not causing any other person to make a false, misleading or vexatious claim against any other Member or person;
- (e) following the procedures outlined in this Policy if they wish to make a Complaint or report a concern about possible Discrimination, Harassment or other inappropriate behaviour;
- (f) complying with any decisions and/or disciplinary measures imposed under this Policy; and
- (g) familiarising themselves with any policy of the AFF from time to time that may be related to or interact with this Policy, including any child safe policy, disciplinary policy or tribunal policy.

## **6. Policy Position Statements**

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### **6.1 General**

The position statements made in this section are intended to reflect the general position of the AFF in respect of their subject matter. They are not intended to be prescriptive in nature and should be read in conjunction with the Codes of Conduct.

### **6.2 Child Protection**

- (a) The AFF is committed to the safety, wellbeing, and empowerment of all Children accessing our programs and services including indigenous children, those from culturally and linguistically diverse backgrounds and Children with disability.
- (b) The AFF has and expects all Member States and Affiliate Members to have a zero tolerance approach to any form of Child Abuse. The AFF supports the rights of children and we will act immediately to ensure an environment is maintained where Children and all Participants feel safe, respected, valued and empowered at all times.
- (c) To show the AFF's commitment to ensuring the AFF does everything it can to have a Child safe environment for all our young Participants, the AFF intends to develop a Child safe policy that comprehensively addresses this prioritised focus.
- (d) Any act or omission that would be contrary to or a breach of this Policy may, at the discretion of the AFF, be dealt with under this Policy, notwithstanding that it may also be contrary to or a breach of another policy that the AFF has adopted.

### **6.3 Prohibition against discrimination and harassment**

- (a) The AFF is committed to providing an environment in which people are treated fairly and equitably and that is free from all forms of Discrimination and Harassment, as far as is reasonably practicable.
- (b) The AFF recognises that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.
- (c) *Discrimination*

- (1) Unlawful Discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-Discrimination laws.
    - (A) The personal characteristics protected by anti-Discrimination laws include attributes such as race, age, disability, sexual orientation and gender. The full list of protected personal characteristics is set out in the definition of Discrimination in the Dictionary of Terms in clause 10 of this Policy.
  - (2) Discrimination can be either direct or indirect.
  - (3) **Direct** Discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
  - (4) **Indirect** Discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.
  - (5) For the purposes of determining Discrimination, the offender's awareness and motive are irrelevant.
- (d) *Harassment*
- (1) Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and that happens because a person has a certain personal characteristic protected by State or Federal anti-Discrimination legislation.
  - (2) The offensive behaviour does not have to take place a number of times; a single incident can constitute Harassment.
  - (3) Sexual Harassment is one type of Harassment. Sexual Harassment is unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual Harassment is not limited to members of the opposite sex.
- (e) *Prohibition against Discrimination and Harassment*
- (1) The AFF prohibits all forms of Harassment and Discrimination.
  - (2) Any person who believes they are being, or have been, harassed or discriminated against by another person or organisation to whom or which this Policy applies is encouraged to raise their concerns with the AFF. A person in these circumstances may make a Complaint with the AFF in accordance with this Policy.

#### 6.4 **Physical Violence**

- (a) Physical violence is behaviour involving physical force intended to or which could be reasonably expected to hurt, damage, or kill someone or something and includes (without limitation) physical assault.
- (b) The AFF will not tolerate acts of physical violence in any circumstances and takes any complaints or concerns relating to actual or threatened physical violence very seriously.

- (c) The AFF encourages any person who is, or believes that another person is, being, or has been, the subject of physical violence at the hands of another person to whom this Policy applies to raise their concerns with the AFF. A person in those circumstances may make a Complaint.

## 6.5 Intimate Relationships

- (a) The AFF understands that consensual intimate relationships (including, but not limited to sexual relationships) between coaches or Officials and adult Participants may take place legally. However, this Policy will help ensure that the expectations of coaches or Officials are clear and, to ensure that if an intimate relationship does exist or develop between a coach or Official and an adult Participant, that relationship will be managed in an appropriate manner.
- (b) Regardless, the AFF takes the position that consensual intimate relationships between coaches or Officials and the adult Participants they coach should be avoided as they may have harmful effects on the Participant involved, on other Participants 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 or Official and the Participant.
- (c) Coaches and Officials are required to conduct themselves in a professional and appropriate manner in all interactions with Participants. In particular, they must ensure that they treat Participants in a respectful and fair manner, and that they do not engage in Sexual Harassment, bullying, favouritism or exploitation.
- (d) The AFF recommends that if a Participant attempts to initiate an intimate relationship with a coach or Official, the coach or Official should discourage the Participant's approach and explain to the Participant why such a relationship is not appropriate.
- (e) If a consensual intimate relationship does exist or develops between an adult Participant and a coach or Official, the coach or Official is expected to ensure that the relationship is appropriate and that it does not compromise impartiality, professional standards or the relationship of trust the coach or Official has with the Participant and/or other Participants.
- (f) In assessing the appropriateness of an intimate relationship between a coach or Official and an adult Participant, relevant factors include, but are not limited to:
  - (1) the relative age and social maturity of the Participant;
  - (2) any potential vulnerability of the Participant;
  - (3) any financial and/or emotional dependence of the Participant on the coach or Official;
  - (4) the ability of the coach or Official to influence the progress, outcomes or progression of the Participant's performance and/or career;
  - (5) the extent of power imbalance between the Participant and coach or Official; and
  - (6) the likelihood of the relationship having an adverse impact on the Participant and/or other Participants.
- (g) It will often be difficult for a coach or Official involved in an intimate relationship with an adult Participant to make an objective assessment of its appropriateness and accordingly they are encouraged to seek advice from a Member Protection Information Officer or the AFF President to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

- (h) If it is determined that an intimate relationship between a coach or Official and an adult Participant is inappropriate or unprofessional the AFF may take disciplinary action against the coach or Official up to and including dismissal. Action may also be taken to stop the coaching relationship with the Participant. This could include a transfer, a request for resignation or dismissal from coaching duties.
- (i) If a coach, Official or Participant believes they are being, or have been, harassed they are encouraged to seek information and support from a Member Protection Information Officer or the AFF President. The Complaints Handling Procedure is outlined in Attachment C1 of this Policy.

## 6.6 **Pregnancy**

- (a) The AFF is committed to providing an inclusive sporting environment for pregnant women involved in its activities. The AFF expects everyone bound by this Policy to treat pregnant women with dignity and respect and to remove any unreasonable barriers to participation in the sport that disadvantage them. The AFF will not tolerate any Discrimination or Harassment against pregnant women.
- (b) While many sporting activities are safe for pregnant women, there may be particular risks that apply to some women during pregnancy. These risks will depend on the nature of the particular sporting activity and the particular pregnant woman's circumstances.
- (c) Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, is of utmost importance in their decision-making about the extent and manner in which they participate in our sport.
- (d) The AFF recommends that pregnant women wishing to participate in any fencing-related activities should consult with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about participation. We will not require women to undertake a pregnancy test.
- (e) The provisions of the FIE Rules and Regulations shall prevail over this Policy, should any conflict arise.

## 6.7 **Gender Identity Discrimination and Harassment**

- (a) Federal, state and territory anti-Discrimination laws provide protection from Discrimination against people on the basis of their gender identity.
- (b) The AFF will not tolerate any unlawful Discrimination or Harassment of a person because of their gender identity.
- (c) All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. The AFF 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 has an association with someone who has or is assumed to be Transgender or transsexual. The AFF expects all people to whom this Policy applies to act with sensitivity when a person is undergoing gender transition/affirmation.
- (d) If any person believes that they are being, or have been, harassed or discriminated against by another person or organisation to whom or which this Policy applies because of their gender identity, they may make a Complaint. Our Complaints Handling Procedure is outlined in Attachment C1 of this Policy.



## 6.8 **Drugs, Alcohol and Smoking**

- (a) The AFF has in place AFF Policies and requires bodies and persons to which or whom an AFF Policy applies, particularly Member States and their Affiliate Members, to adhere to those AFF Policies.
- (b) Persons to whom this Policy applies should refer to the AFF Policies for guidance on the AFF's expectations for:
  - (1) the responsible consumption of alcohol;
  - (2) providing a smoke free environment at events and activities; and
  - (3) the use of performance enhancing and illegal drugs (whether or not performance enhancing).

## 6.9 **Bullying**

- (a) The AFF is committed to providing an environment that is free from bullying. Bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and the AFF therefore regards bullying in all forms as unacceptable.
- (b) Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group.
- (c) Whilst generally characterised by repeated behaviours, one-off instances can amount to bullying.
- (d) The following types of behaviour, where repeated, or occurring as part of a pattern of behaviour, would be considered bullying:
  - (1) verbal Abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
  - (2) excluding or isolating a group or person;
  - (3) spreading malicious rumours; or
  - (4) psychological Harassment such as intimidation.
- (e) Bullying includes cyber-bullying which occurs through the use of technology. 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 AFF will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a judge, 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 AFF or relevant Member State or Affiliate Member.
- (f) If any person believes they are being, or have been, bullied by another person or organisation to whom or which this Policy applies, he or she may make a Complaint. Our Complaints Handling Procedure is outlined in Attachment C1 of this Policy.

- (g) Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things.

#### 6.10 Social Media

- (a) The AFF acknowledges the enormous value of social media to promote our sport and celebrate the achievements and success of the people involved in our sport. Social media means any facility for online publication and commentary, including without limitation, blogs, wikis, social networking sites such as Facebook, LinkedIn, Twitter, Flickr, Instagram and YouTube.
- (b) However, Participants within the sport need to be very mindful of a few key matters that could lead to inappropriate use of social media, whether unintended or in the absence of a proper understanding that once comments are made or published they may remain in the public arena for a long time and are difficult to retract.
- (c) Persons to whom this Policy applies should refer to the AFF's Social Media Policy which outlines the AFF's requirements and recommendations in relation to the use of social media.

## 7. Complaints Handling

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### 7.1 Making a Complaint

- (a) The AFF aims to provide a simple procedure for Complaints based on the principles of Natural Justice (also referred to as procedural fairness).
- (b) Any person or organisation (**Complainant**) may make a Complaint about a person/s or body (**Respondent**) to whom or which this Policy applies if there is a reasonable basis to consider that there has been a breach of this Policy.
- (c) The Complaints Handling Procedure outlined at Attachment C1 of this Policy applies exclusively to the reporting, investigation and resolution of Complaints reported under this Policy.
- (d) Complainants should refer to the Complaints Handling Procedure in Attachment C1 for guidance on making a Complaint.
- (e) It is mandatory for a Member State or Affiliate Member who receives a Complaint to report the Complaint to the AFF, in accordance with the Complaints Handling Procedure in Attachment C1.
- (f) The AFF will decide the manner in which a Complaint will be dealt with in accordance with the Complaints Handling Procedure in Attachment C1.
- (g) The AFF has the right to:
  - (1) deal with any Complaint reported to the AFF in its sole discretion, in accordance with this Policy;
  - (2) deal with any Complaint reported to a Member State or Affiliate Member (which is relayed to the AFF) in its sole discretion, in accordance with this Policy;
  - (3) act as an observer to the handling of any Complaint, with the right to be properly informed as to the progress of the Complaint;
  - (4) assume the handling of any Complaint; and

- (5) make a Complaint of its own volition by authority of the AFF Board against any person or body to whom or which this Policy applies (which shall proceed and be dealt with in the same way as any other Complaint under this Policy).

## 7.2 **AFF response to Complaint**

- (a) On receipt of a Complaint in accordance with this Policy, an MPP Committee will be established to review the Complaint in accordance with the Complaints Handling Procedure outlined in Attachment C1 of this Policy.
- (b) All Complaints will be dealt with promptly, seriously and sensitively, and in accordance with the Complaints Handling Procedure outlined in Attachment C1 of this Policy.
- (c) Final decisions regarding each Complaint received under this Policy will be made by the MPP Committee, notwithstanding any findings that may be made by an investigator pursuant to the Complaints Handling Procedure in Attachment C1.
- (d) A Complaint will be dealt with by the MPP Committee in accordance with the Complaints Handling Procedure.

## 7.3 **Improper complaints and victimisation**

- (a) The AFF aims to ensure that the Complaints Procedure has integrity and is free of unfair repercussions or victimisation.
- (b) If at any point in the Complaint handling process the MPP Committee considers that a Complainant has knowingly made an untrue Complaint, or the Complaint is vexatious or malicious or intended to cause distress to the Respondent, the MPP Committee may take appropriate action, including possible disciplinary action against the Complainant in accordance with this Policy.
- (c) The AFF will also take necessary steps to make sure that people involved in a Complaint are not victimised. Disciplinary measures may be imposed on anyone who harasses or victimises another person for making a Complaint.

## 7.4 **Mediation**

- (a) The AFF aims to resolve Complaints quickly and fairly. In many cases, Complaints can be resolved by agreement between the people involved with no need for disciplinary action.
- (b) 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.
- (c) Any mediation under this Policy will be conducted in line with the mediation process outlined in Attachment C2.

## 7.5 **Tribunals**

- (a) A Tribunal may be convened to hear a Referral or an Application for Review of an MPP Committee Decision under this Policy.
- (b) The Tribunal procedure will be in accordance with the AFF's Tribunal Appointment and Procedure Policy from time to time or such other applicable policy of the AFF.

- (c) A Complainant or a Respondent may only lodge an Application for Review to a Tribunal in respect of an MPP Committee Decision. A Complainant or Respondent may have a right of appeal from a Tribunal decision to the Appeal Tribunal under the AFF's Tribunal Appointment and Procedure Policy from time to time or such other applicable policy of the AFF.
- (d) Every organisation to which this Policy applies will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this Policy.

## **8. What is a breach of this Policy?**

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- (a) It is a breach of this Policy for any person or organisation to whom this Policy applies to do anything contrary to this Policy including but not limited to:
  - (1) Breaching any of the AFF's Codes of Conduct (see Part B of this Policy);
  - (2) any acts, omissions, conduct or other behaviour that brings, or is reasonably likely to bring, the sport of fencing and/or the AFF, a Member State or an Affiliate Member into ridicule or disrepute;
  - (3) failing to follow AFF Policies (including this Policy) and our procedures for the protection, safety and well-being of children;
  - (4) discriminating against, harassing or bullying (including cyber-bullying) any person;
  - (5) victimising another person for making or supporting a Complaint;
  - (6) engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
  - (7) verbally or physically assaulting another person, intimidating another person or creating a hostile environment;
  - (8) disclosing to any unauthorised person or organisation any AFF Information that is of a private, confidential or privileged nature;
  - (9) making a Complaint that is known by the Complainant to be untrue, vexatious, malicious or improper;
  - (10) failing to comply with a penalty imposed after a finding that the individual or organisation has breached an AFF Policy (including this Policy); and
  - (11) failing to comply with a direction given to the individual or organisation as part of a disciplinary process.
- (b) A breach of this Policy may occur notwithstanding that the incident, act or omission the subject of the breach did not occur at an event or activity sanctioned or supported by the AFF, a Member State or Member Affiliate.

## **9. Disciplinary measures**

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### **9.1 Overview**

- (a) If an individual or organisation to which this Policy applies breaches this Policy, one or more forms of disciplinary measure may be imposed.

- (b) Any disciplinary measure imposed under this Policy must be determined in accordance with the AFF Constitution (if applicable to the organisation or person involved) and must:
  - (1) observe and be consistent with any contractual and employment rules and requirements;
  - (2) conform to the principles of Natural Justice and be fair and reasonable;
  - (3) be based on the evidence and information presented and the seriousness of the breach; and
  - (4) be within the powers of the entity imposing the disciplinary measure.

## 9.1 Individuals

Subject to contractual requirements or otherwise under law, if a finding is made under this Policy that an individual has breached this Policy or any of the Codes of Conduct, one or more of the following forms of discipline may be imposed:

- (a) a direction that the individual make a verbal and/or written apology;
- (b) a written warning;
- (c) a direction that the individual attend counselling to address their behaviour;
- (d) a withdrawal of any funding, grants, awards, scholarships, placings, records or achievements bestowed in any tournaments, activities or events held, sanctioned or otherwise supported by the AFF;
- (e) a demotion or transfer of the individual to another role or activity;
- (f) a suspension of the individual's membership or participation or engagement in a role or activity;
- (g) termination of the individual's membership, appointment or engagement;
- (h) a direction that an individual not enter the venue of an AFF event or activity or Member State or Affiliate Member event or activity;
- (i) a direction that a Member State or Affiliate Member:
  - (1) refuse to admit a person into its membership;
  - (2) terminate the membership of one of its members;
- (a) termination of any licence that gives rise to an ability to enter an AFF, Member State or Affiliate Member event;
- (j) the imposition of conditions, limitations or restrictions on the participation of the individual in activities, squads, and/or teams sanctioned or otherwise supported by the AFF;
- (k) a recommendation that the AFF terminate the individual's membership, appointment or engagement;
- (l) a lifetime ban on being re-considered for membership of the AFF, a Member State or Affiliate Member, or participating or entering activities or events sanctioned or otherwise supported by the AFF, a Member State or Affiliate Member;

- (m) 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;
- (n) a fine;
- (o) payment of reasonable costs incurred by the AFF, a Member State or Affiliate Member (as applicable) in addressing the processes set out in this Policy; or
- (p) any other form of discipline that the AFF or MPP Committee considers appropriate.

## 9.2 Organisations

If a finding is made that an organisation to which this Policy applies has breached its own or this Policy or the Codes of Conduct, one or more of the following forms of discipline may be imposed:

- (a) a written warning;
- (b) a fine;
- (c) a direction that any rights, privileges and benefits provided to that organisation by the AFF or other peak association be suspended for a specified period;
- (d) a direction that any funding granted or given to it by the AFF or other peak association cease from a specified date;
- (e) a direction that the AFF and/or other peak associations cease to sanction events held by or under the auspices of that organisation;
- (f) a recommendation to AFF that its membership of the AFF and/or other peak associations be suspended or terminated in accordance with the relevant constitution or rules;
- (g) any other form of discipline that the AFF or peak association considers appropriate.

## 9.3 Factors to consider

The form of discipline to be imposed on an individual or organisation will depend on factors, including but not limited to:

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

## 10. Dictionary of Terms and Interpretation

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### 10.1 Dictionary

This Dictionary sets out the meaning of words used in this Policy and its attachments. Where a term is not defined, it should be given its ordinary and natural meaning.

**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.

**AFF** means Australian Fencing Federation Ltd ACN 161 544 752.

**AFF Board** means the board of directors of AFF.

**AFF Constitution** means the constitution of the AFF adopted by the Members as amended from time to time.

**AFF events and activities** means any event or activity held, sanctioned or otherwise supported by the AFF.

**AFF Policy** means a policy of the AFF in force from time to time.

**Affiliate Member** means a club registered as a member or an affiliate with a Member State and also includes an Affiliate Member as that term is defined in the AFF Constitution.

**AFF Information** means any information of AFF supplied, disclosed or made available to any body or person to which or whom this Policy applies either orally or in writing and whether directly or indirectly (through unrelated third parties).

**AFF President** means the person appointed as President of the AFF, in accordance with the constitution of the AFF.

**AFF Secretary** means the company secretary of the AFF from time to time.

**Appeal Tribunal** means an appeal tribunal convened under the AFF's Tribunal Appointment and Procedure Policy to hear an appeal from a Tribunal decision.

**Application for Review** means an application for review of an MPP Committee Decision made pursuant to this Policy, in accordance with the AFF's Tribunal Appointment and Procedure Policy.

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

**Child Abuse** involves conduct which puts a child at risk of harm. Child abuse can take many forms, including verbal and physical actions and may include:

- (a) physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm or giving a child alcohol or drugs);
- (b) sexual abuse by adults or other children where a child is 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);
- (c) emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, name-calling or placing unrealistic expectations on a child); or

- (d) 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).

**Codes of Conduct** means the codes of conduct published by the AFF, as amended from time to time.

**Complaint** means a complaint made under this Policy.

**Complainant** means a person who makes a Complaint.

**Complaints Handling Procedure** means the procedure set out in Attachment C1 of this Policy.

**Discrimination** means treating or proposing to treat a person less favourably because of a particular characteristic in the same or similar circumstances in certain areas of public life (Direct Discrimination), or imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics (Indirect Discrimination). Relevant attributes or characteristics covered by discrimination law in various Australian jurisdictions include:

- (a) age;
- (b) disability;
- (c) marital status;
- (d) parental/family/carer responsibility and status
- (e) gender identity/transgender status;
- (f) physical features;
- (g) political belief/activity;
- (h) pregnancy and breast feeding;
- (i) race;
- (j) religious belief/activity;
- (k) sex or gender;
- (l) sexual orientation;
- (m) trade union membership/activity;
- (n) social origin;
- (o) irrelevant medical record; and
- (p) irrelevant criminal record.

Some exceptions to state and federal anti-discrimination law apply in the case of sporting activities. These exceptions vary from jurisdiction to jurisdiction.

**FIE Rules and Regulations** means the statutes and regulations of the international fencing federation (the Federation International d'Esgrime) in force from time to time.



**Harassment** is unwelcome behaviour which has the effect of offending, humiliating or intimidating the person harassed, in circumstances where a reasonable person would recognise the behaviour as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated. Unlawful harassment is harassment that is sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some other personal characteristic protected by law.

**Member** means a member of the AFF as defined in the AFF Constitution.

**Member State** has the meaning given to that term by the AFF Constitution.

**Member Protection Information Officer** means a person appointed by the AFF, Member State or Affiliate Member to be the first point of contact for a person raising a problem or making a Complaint under, or relating to a breach of, this Policy (which can include the President of the AFF).

**MPP Committee** means the committee appointed by the AFF Board to make decisions in relation to each Complaint received under this Policy, in accordance with the Complaints Handling Procedure.

**MPP Committee Decision** has the meaning given to that term in Step 7 of the Complaints Handling Procedure.

**Natural Justice** (also referred to as procedural fairness) incorporates the following principles:

- (a) both the Complainant and the Respondent must know the full details of what is being said against them and have the opportunity to respond;
- (b) all relevant submissions must be considered and irrelevant matters must not be taken into account;
- (c) no person may judge their own case;
- (d) the decision maker/s must be unbiased, fair and just; and
- (e) the penalties imposed must be fair and not disproportionate given the nature of the Complaint.

**Official** means a person who acts as an official in the sport of fencing such as a judge, referee, adjudicator, umpire, jury member or mediator and participates in events and activities held, sanctioned or supported by the AFF, a Member State or Affiliate Member from time to time, whether in a paid or volunteer capacity.

**Participant** means a person who participates in the sport of fencing including, but not limited to, athletes.

**Policy** means this National Member Protection Policy.

**Respondent** means a person whose behaviour is the subject of a Complaint made under this Policy.

**Sexual Harassment** means unwelcome behaviour of a sexual nature which could reasonably be expected to result in a person feeling humiliated, intimidated or offended. Sexual Harassment can take many different forms and may include unwelcome physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Sexual Harassment does not include sexual interactions between consenting adults.

**Sexual Offence** means any act involving sexual activity or acts of indecency including, but not limited to (due to differences under state/territory legislation):

- (a) rape;
- (b) indecent assault;
- (c) sexual assault;
- (d) assault with intent to commit sexual acts;
- (e) incest;
- (f) sexual penetration of a minor;
- (g) indecent act with a minor;
- (h) sexual relationship with a minor;
- (i) sexual offences against people with impaired mental functioning;
- (j) abduction and detention;
- (k) procuring sexual penetration by threats or fraud;
- (l) procuring sexual penetration of a minor;
- (m) bestiality;
- (n) soliciting a minor to take part in an act of sexual penetration, or an indecent act;
- (o) promoting or engaging in acts of child prostitution;
- (p) obtaining benefits from child prostitution;
- (q) possession of child pornography; and
- (r) publishing child pornography and indecent articles.

**Transgender** is a general term applied to individuals and behaviours that differ from the gender role commonly, but not always, assigned at birth. It does not imply any specific form of sexual orientation.

**Tribunal** means a tribunal convened under the AFF's Tribunal Appointment and Procedure Policy to hear an Application for Review of an MPP Committee Decision made under this Policy.

**Tribunal Appointment and Procedure Policy** means the tribunal appointment and procedure policy of the AFF as in force from time to time.

**Victimisation** means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a Complaint under legislation (e.g. anti-discrimination law) or under this Policy, or for supporting such a person.

## 10.2 Interpretation

In this Policy, unless the contrary intention appears:

- (a) a person, corporation, trust, association, unincorporated body, government body or other entity includes any other of them;
- (b) the singular includes the plural and the plural includes the singular;
- (c) headings are for ease of reference only and do not affect the meaning or interpretation;
- (d) the word 'include' in any form is not a word of limitation; and
- (e) money is to Australian dollars, unless otherwise stated.

## **Part B: Codes of Conduct**

The AFF seeks to provide a safe, fair and inclusive environment for everyone involved in our organisation and in our sport.

To achieve this, we require certain standards of behaviour by athletes, coaches, Officials, administrators, parents/guardians (of child participants) and spectators, which are documented in the Codes of Conduct.

Copies of the Codes of Conduct can be obtained from the AFF website at [www.ausfencing.org](http://www.ausfencing.org).

## Part C: Complaint Handling Procedures

### Attachment C1 - Complaints Procedure

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All Complaints will be kept confidential and will not be disclosed to another person without the Complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the Complaint.

If a Complainant wishes to remain anonymous, the AFF will have difficulty assisting in resolving the Complaint. Natural Justice means that the AFF is required to provide the person/people complained about with full details of the Complaint so they have a fair chance to respond. It is likely in those circumstances that the Complaint cannot be taken any further.

#### Advice to Complainants - Informal Approaches

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

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

2. **Step 2: Contact a Member Protection Information Officer**

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

- (1) step 1 (above) is not appropriate;
- (2) you are not sure how to handle the problem by yourself;
- (3) you want to talk confidentially with someone and find out what options are available to address your concern; or
- (4) the concern continues after you approached the other person.

(b) The names and contact details for our Member Protection Information Officers are available at the AFF website ([www.ausfencing.org](http://www.ausfencing.org)). Member States and Affiliate Members are also required to publish names and contact details for their Member Protection Information Officers. The Member Protection Information Officer's role is to:

- (1) ask how you would like your concern to be resolved and if you need support;
- (2) seek to provide different options for you to address your concern;
- (3) act as a support person, if you wish;
- (4) refer you to an appropriate person (e.g. a mediator) to help you address your concern, if appropriate;
- (5) inform the relevant government authorities and/or police, if required by law to do so; and
- (6) where possible and appropriate, maintain confidentiality.

3. **Step 3: Decide how to address your concern**

After talking with the Member Protection Information Officer, you may decide:

- (a) there is no problem;

- (b) the problem is minor and you do not wish to take the matter forward;
- (c) to try and resolve the problem yourself, with or without a support person;
- (d) to resolve the problem with the help of someone impartial, such as a mediator; or
- (e) to resolve the matter through a formal process.

## Formal Approaches

### 4. Step 4: How to make a Complaint

- (a) If you do not consider it possible or appropriate to resolve your problem or issue informally, you may make a Complaint in writing to be dealt with in accordance with this Policy.
- (b) You may submit a Complaint directly to the AFF or to your Member State or Affiliate Member.
- (c) A Complaint may be submitted to the following persons:
  - (1) in respect of a Complaint made directly to the AFF, by email to:
    - (A) the AFF President at [president@fencing.org.au](mailto:president@fencing.org.au); or
    - (B) if a Complaint involves the AFF President, the AFF Secretary by email to [secretary@fencing.org.au](mailto:secretary@fencing.org.au);
  - (2) in respect of a Complaint made to the relevant Member State or Affiliate Member, by email to:
    - (A) the president of the Member State or Affiliate Member; or
    - (B) if a Complaint involves the president of the Member State or Affiliate Member, to the secretary of the Member State or Affiliate Member.
- (d) Subject to clause 4(e) of this Part C, any Complaint that a Member State or Affiliate Member receives under this Policy or its own policy (if applicable), that the Member State or Affiliate Member elects to deal with, must be notified to the AFF President by email to [president@fencing.org.au](mailto:president@fencing.org.au) or the AFF Secretary (as appropriate) by email to [secretary@fencing.org.au](mailto:secretary@fencing.org.au) by the relevant Member State or Affiliate Member and the Member State or Affiliate Member must also provide copies of any documents received or correspondence exchanged in relation to the Complaint.
- (e) A Member State or Affiliate Member who receives a Complaint under this Policy or its own policy (if applicable) in respect of:
  - (1) any persons under 18 years of age; or
  - (2) any abuse or Sexual Offence,
 must notify the AFF President of the Complaint by email to [president@fencing.org.au](mailto:president@fencing.org.au) or the AFF Secretary (as appropriate) by email to [secretary@fencing.org.au](mailto:secretary@fencing.org.au) and provide copies of any documents received or correspondence exchanged in relation to the Complaint.

5. **Step 5: Receipt of Complaint and appointment of MPP Committee**

- (a) The AFF President or Secretary (as the case may be) will advise the AFF Board of any Complaint received under this Policy.
- (b) The AFF has the right to:
  - (1) deal with any Complaint reported to the AFF in its sole discretion, in accordance with this Policy;
  - (2) deal with any Complaint reported to a Member State or Affiliate Member (which is relayed to the AFF) in its sole discretion, in accordance with this Policy;
  - (3) act as an observer to the handling of any Complaint, with the right to be properly informed as to the progress of the Complaint;
  - (4) assume the handling of any Complaint; and
  - (5) make a Complaint of its own volition by authority of the AFF Board against any person or body to whom or which this Policy applies (which shall proceed and be dealt with in the same way as any other Complaint under this Policy).
- (c) On receipt of a Complaint under this Policy or the AFF assuming the handling of a Complaint in accordance with this Policy, a committee of not less than two members shall be convened to review the Complaint (**MPP Committee**), comprised of the following:
  - (1) where the Complaint relates to behaviour or an incident that occurred at, or involves people operating at a:
    - (A) national level - the AFF President;
    - (B) state level - the President of the Member State; or
    - (C) club level - the President of the Affiliate Member; and
  - (2) at least one appointee determined by the AFF Board, being a person or persons the AFF Board considers possesses the appropriate experience or skills to consider the Complaint having regard to the nature of the Complaint. Such an appointee may (but is not required to be) a director of the AFF.
- (d) If the AFF Board determines that the AFF President or President of the Member State or Affiliate Member (as the case may be) has an actual or perceived conflict of interest in relation to the Complaint, the AFF Board will appoint another member to the MPP Committee in place of the AFF President or President of the Member State or Affiliate Member.
- (e) The AFF Board will nominate one member of the MPP Committee to be the contact point for all correspondence to and from (including any notices to be received or given by) the MPP Committee (**MPP Committee Liaison**). The MPP Committee Liaison will advise the Complainant and the person or body against whom the Complaint is directed (**Respondent**) of their contact details.
- (f) Decisions regarding each Complaint received under this Policy will be made by the MPP Committee.

- (g) After receiving a Complaint, and based on the material the Complainant provides, the MPP Committee will assess whether:
  - (1) the MPP Committee is the most appropriate body to receive and handle the Complaint;
  - (2) the nature and seriousness of the Complaint requires a formal resolution procedure;
  - (3) to take no further action because the Complaint is improper, insignificant or vexatious, or has been adequately dealt with through informal or other processes.
- (h) The MPP Committee will in its sole discretion have the power to decide the most appropriate method of dealing with a Complaint. In dealing with a Complaint, the MPP Committee may take into account:
  - (1) whether any member of the MPP Committee has had any personal involvement in the circumstances and if so, whether it is appropriate someone else should handle the Complaint;
  - (2) the Complainant's wishes, and the wishes of the Respondent, regarding how the Complaint should be handled;
  - (3) the relationship between the Complainant and the Respondent (e.g. an actual or perceived power imbalance between the Complainant and the Respondent);
  - (4) the views of any person who might have been subjected to the alleged improper conduct of the Respondent (for example, the person directly affected by the behaviour where another person has made a Complaint on their behalf);
  - (5) whether the facts of the Complaint are in dispute; and
  - (6) the urgency of the Complaint, including the possibility that the Complainant might face further unacceptable behaviour while the Complaint process is underway.
- (i) Having reviewed a Complaint, the MPP Committee may take any step, issue any direction to or impose any restriction on the Respondent or any other person or body it considers appropriate, on an interim basis, pending the investigation of and a final determination being made in relation to the Complaint under this Policy. This may include imposing any disciplinary measure set out in clause 9 of Part A of this Policy against the Respondent on an interim basis and the MPP Committee's decision in this regard is final.

## 6. Step 6: Preliminary Investigation

### 6.1 Conduct of Investigation

- (a) The MPP Committee will conduct a preliminary investigation of the Complaint (**Preliminary Investigation**). As part of the Preliminary Investigation, the MPP Committee may provide the information received from the Complainant to the Respondent and any other person(s) involved in the conduct the subject of the Complaint and ask for a response, either orally, in writing, or both.
- (b) The MPP Committee may also:
  - (1) invite either or both of the Complainant or Respondent to identify any witnesses and supporting evidence; and



- (2) make contact with any witnesses and obtain written and signed statements outlining details of the allegation (what happened, when, how); and
- (3) obtain other information that the MPP Committee considers would assist it in making a decision on the Complaint.

## 6.2 Interview

- (a) The MPP Committee Liaison may give notice to one or more of the Complainant, Respondent or any other person to whom this Policy applies requiring them to attend before the MPP Committee (or one or more of its members) at a specified time and place, to answer questions, provide information or make a submission before the MPP Committee regarding the Complaint (**Interview**).
- (b) If a party is unable to attend the Interview at the proposed time, he or she must inform the MPP Committee Liaison of this fact no later than 48 hours prior to the scheduled commencement time of the Interview. The MPP Committee may in its discretion reschedule the Interview to enable the party to attend. If a party is unable to attend the Interview in person, the MPP Committee Liaison may make appropriate arrangements so that a party is able to participate in the Interview by alternate means, such as video conference or teleconference.
- (c) The MPP Committee may regulate the conduct of any Interview as it sees fit. An Interview will be conducted with as little formality and technicality as is required for proper consideration of the matters put forward by the MPP Committee.
- (d) A person participating in an Interview will have reasonable and sufficient notice of the matters the subject of the Interview.
- (e) A party who attends an Interview is entitled to support from a support person however legal representation will not be allowed.

## 6.3 Evaluating Next Steps

- (a) Following the Preliminary Investigation, the MPP Committee will:
  - (1) decide if there is enough information to determine whether the matter alleged in a Complaint did or did not occur; and/or
  - (2) determine what, if any, further action to take, including referring the matter for investigation or disciplinary action in accordance with this Policy.
- (b) The MPP Committee may take any action it considers appropriate, including to:
  - (1) **issue a decision** in relation to the Complaint (see Step 7);
  - (2) refer the Complaint to **mediation**. If the Complaint is referred to **mediation**, it will be **conducted** in accordance with Attachment C2 or as otherwise agreed by the AFF, the Complainant, the Respondent and the mediation provider;
  - (3) refer the Complaint for further independent **investigation** to gather further information (refer to Attachment C3 for procedure);
  - (4) refer the Complaint to a **Tribunal**; or
  - (5) refer the matter to the **police or other appropriate authority**. If the Complaint is referred to the **police or another external agency**, the AFF will endeavour to provide all reasonable assistance required by the police or the agency.

- (c) Any costs relating to the Complaint process set out in this Policy (e.g. investigation or mediation) are to be met by the AFF, a Member State or Affiliate Member (as applicable) unless otherwise stated.

**7. Step 7: Decision of the MPP**

- (a) Following any:
  - (1) Preliminary Investigation under Step 6;
  - (2) independent investigation under Step 6 in accordance with the procedure in Attachment C3 (and having regard to the findings of the investigator); or
  - (3) mediation conducted under Step 6 in accordance with the procedure in Attachment C2 (and subject to the outcome of such mediation),

the MPP Committee will issue a decision in relation to the Complaint (**MPP Committee Decision**).

- (b) In the MPP Committee Decision the MPP Committee may in its discretion:
  - (1) dismiss and close the Complaint; or
  - (2) impose a penalty or disciplinary measure set out in clause 9 of Part A of this Policy.
- (c) The AFF will notify the Complainant and the Respondent of the MPP Committee Decision relating to a Complaint made under this Policy within 7 days after it is made.

**8. Step 8: Making an Application for Review**

A Complainant or Respondent who is dissatisfied with an MPP Committee Decision may submit an Application for Review of an MPP Committee Decision. The process for making an Application for Review to a Tribunal and any subsequent appeal to an Appeal Tribunal are set out in the AFF's Tribunal Appointment and Procedure Policy.

**9. Step 9: Documenting the resolution**

The MPP Committee will record the Complaint, the steps taken to resolve it and the outcome, in the form set out in Attachment D1. This information will be stored in a confidential and secure place by the AFF (subject to any disclosure that may be required by law).

**10. Approaching external organisations**

Nothing in this Policy prevents a person or organisation taking any steps outside this Policy that they are entitled to take at law.

## Attachment C2 - Mediation

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Mediation is a process during which people in conflict are helped to communicate with each other to identify the areas of dispute and to make decisions about resolving it.

This attachment outlines the general procedure of mediation that will be followed by the AFF or the relevant Member State.

- (a) The MPP Committee will appoint an appropriate mediator to help resolve the Complaint, in consultation with the Complainant and the Respondent. The mediator will be an independent person in the context of the Complaint, however this does not preclude a person with an association with the AFF acting as mediator.
- (b) The mediator's role is to assist the Complainant and Respondent reach an agreement on how to resolve the problem. The mediator, in consultation with the Complainant and Respondent, will choose the procedures to be followed during the mediation. At a minimum, the mediator will prepare an agenda of issues for discussion.
- (c) All issues raised during mediation will be treated confidentially and without prejudice to the rights of the Complainant and the Respondent to pursue an alternative process if the Complaint is not resolved.
- (d) If the Complaint is resolved by mediation, the mediator will prepare a document that sets out the agreement which will be signed by the Complainant and the Respondent recording their agreement.
- (e) If the Complaint is not resolved by mediation, the MPP Committee may take any step it considers appropriate in proceeding with the Complaint including to issue an MPP Committee Decision in respect of the Complaint in accordance with Attachment C1.
- (f) Mediation will not be recommended where:
  - (1) the Complainant and the Respondent have completely different versions of events and will not deviate from these;
  - (2) the Complainant and the Respondent are unwilling to attempt mediation;
  - (3) due to the nature of the Complaint, the relationship between the Complainant and the Respondent or any other relevant factors, the Complaint is not suitable for mediation; or
  - (4) the matter involves proven serious allegations (regardless of the wishes of the Complainant).

## Attachment C3 - Investigation Process

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If an investigation needs to be conducted to gather more information the following steps will be followed unless otherwise agreed:

- (a) The MPP Committee will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:
  - (1) Interview the Complainant and record the interview in writing.
  - (2) Convey full details of the Complaint to the Respondent so that he or she can respond.
  - (3) Interview the Respondent to allow them to answer the Complaint, and record the interview in writing.
  - (4) Obtain statements from witnesses and other relevant evidence.
  - (5) Make a finding as to whether the Complaint is:
    - (A) substantiated (there is sufficient evidence to support the Complaint);
    - (B) inconclusive (there is insufficient evidence either way);
    - (C) unsubstantiated (there is sufficient evidence to show that the Complaint is unfounded); or
    - (D) mischievous, vexatious or knowingly untrue.
- (b) Provide a report to the MPP Committee documenting the Complaint, investigation process, evidence, finding and, if requested, recommendations.
- (c) The MPP Committee will provide a report to the Complainant and the Respondent documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
- (d) The Complainant and the Respondent will be entitled to support throughout this process from their chosen support person or adviser.
- (e) The Complainant and the Respondent may have the right to seek review of an MPP Committee Decision based on the investigation (refer to Step 8 in the Complaints Handling Procedure).

## **Part D: Reporting Requirements and Documents**

The AFF will ensure that all the Complaints we receive are properly documented. This includes recording how the Complaint was resolved and the outcome of the Complaint. The template forms in Part E may be used for this purpose. This information, and any additional records and notes, will be treated confidentially (subject to disclosure required by law or permitted under this Policy) and stored in a secure place.



<p>Nature of the Complaint? (category/basis/grounds)</p> <p>Tick more than one box if necessary</p>	<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"/> Bullying <input type="checkbox"/> Physical abuse	<input type="checkbox"/> Race <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 .....
<p>Methods (if any) of attempted informal resolution</p>		
<p>Formal resolution procedures followed (outline)</p>		
<p>If investigated:</p>	<p>Finding</p>	
<p>If heard by Tribunal:</p>	<p>Decision</p> <p>Action recommended</p>	
<p>If mediated:</p>	<p>Date of mediation:</p> <p>Both/all parties present:</p> <p>Agreement</p> <p>Any other action taken</p>	

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: <span style="float: right;">Date    /    /</span> Signature:
Signed by:	Complainant:  Respondent:

**This record and any notes must be kept confidential and secure.** 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 AFF and a copy kept with the organisation where the Complaint was first made.