MEMBER PROTECTION FRAMEWORK:

ANTI-BULLYING AND HARASSMENT POLICY

FOOTBALL AUSTRALIA

Effective from December 2020

Football Federation Australia Limited

ABN 28 106 478 068

Locked Bag A4071, Sydney South NSW 1235

ffa.com.au

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1. INTRODUCTION

Football Australia aims to provide a safe and enjoyable environment for all Members participating in football. Everyone involved in our sport should be treated with respect and dignity and be free to participate without being discriminated against, harassed, bullied or abused.

Football Australia is committed to ensuring that football is an inclusive sport for all Members and that any form of Bullying and Harassment is not acceptable in our sport. Everyone should be able to enjoy participating in football and have a safe, positive and inclusive experience that is free from any form of Bullying and/or Harassment. This is why Football Australia has developed this Anti-Bullying and Harassment Policy (the ***Policy***) as part of its Member Protection Framework.

2. SCOPE AND APPLICATION

2.1 Scope

All Members should expect to be able to participate in football free from any form of Bullying or Harassment. When a Member acts in a manner contrary to these expectations, everyone involved in football should feel comfortable and be encouraged to speak up. They should expect to be able to report such conduct and for all reports and complaints to be treated seriously and handled in a consistent and fair manner. Football Australia and its affiliated Football Entities are committed to meeting these expectations.

This Policy aims to prohibit any form of Bullying and Harassment in football, and to ensure that a Member is able to understand how to report Bullying or Harassment. It is also intended to complement and operate in conjunction with any applicable legislation.

This Policy forms part of the Football Australia Statutes and provides the minimum standards expected with respect to prohibiting and preventing Bullying and Harassment in football. It provides that all Members should be able to participate in football without fear of any adverse conduct or behaviour. Accordingly, the Football Entities have a zero-tolerance policy towards all forms of Bullying and Harassment.

Any person may report a complaint about a Member if they reasonably believe that the Member has engaged in conduct or behaviour that is Discriminatory. This Policy outlines the process for reporting such conduct or behaviour.

2.2 Who does this Anti-Bullying and Harassment Policy Apply to?

This Policy applies to Football Australia, Member Federations, District Associations, Regional Zones and branches, Competition Administrators, Clubs, Officials, and Players (whether they are in a paid or unpaid capacity). To the fullest extent possible, it also applies to parents and guardians of Players and to spectators at Matches.

2.3 Football Entities

Football Entities are responsible for applying this Policy in relation to their Members. Football Entities must also publish, distribute and promote this Policy to their Members.

A Football Entity may supplement this Policy with further rules, policies and procedures provided they are not inconsistent with the terms or spirit of this document, as determined by Football Australia.

2.4 Status

This Policy has been endorsed by the Football Australia Board and forms part of the Football Australia Statutes. It replaces the processes contained in Football Australia's repealed Member Protection Policy and applies with immediate effect on and from 18 December 2020, subject to the transitional measures set out in section 8 below.

3. COMMITMENT TO PREVENTING BULLYING AND HARASSMENT IN FOOTBALL

Football Australia, its affiliated Football Entities and all Members are committed to football being a sport where all Members are free and able to enjoy participating in a safe, inclusive and supportive environment. This includes a zero-tolerance policy for any form of Bullying or Harassment. As part of this commitment, Football Entities will develop and maintain a speak up culture, where Members are able to report any complaints regarding this type of conduct or behaviour and be free from any victimisation or other adverse consequences as a result of making such a complaint. All Members are entitled to be treated fairly and equally, and with dignity and respect at all times.

4. DEFINING BULLYING AND HARASSMENT

4.1 What is Bullying?

Bullying is behaviour or conduct that involves the inappropriate use of power by one (1) or more persons in relation to another person or group of people who are less powerful or in a position of vulnerability. Bullying may be a serious or repeated behaviour or conduct, or it may be a single incident.

Bullying may make a person feel unsafe or uncomfortable and may manifest in a variety of often interrelated forms, which may include but are not limited to:

(a) verbal (such as name calling; putting that person or people down; or making threats)

(b) physical (such as hitting or punching, kicking or spitting)

(c) social (such as exclusion or isolation; ostracising or alienating a person or people)

(d) psychological (such as spreading rumours; embarrassing someone in public or in front of their peers; hiding or damaging that person's or people's possession; or stalking)

(e) cyberbullying (using technology to target or Bully another person or group of people and may include harassment; threats; embarrassment; humiliation; or the spreading of rumours).

Bullying may cause the recipient to feel victimised, humiliated, threatened, degraded, offended or intimidated and can cause significant harm to the safety and wellbeing of the recipients. Certain types of Bullying behaviour and conduct may also be unlawful, particularly where it involves physical assault, harassment, discrimination, or if it contributes to a psychological injury.

4.2 Signs and indicators of Bullying

A person who is being bullied may not always ask for assistance or support as they may feel threatened, afraid, ashamed, weak or embarrassed. Therefore, it is important to ensure that all Members are aware of the signs of Bullying to assist in stopping this conduct or behaviour and preventing it occurring in football.

The signs of Bullying can include, but are not limited to:

(a) loss of interest or reduction in participation in positive activities or activities previously enjoyed, such a sport;

(b) avoiding social situations or activities;

(c) alienated from certain social or shared activities;

(d) unexplained injuries;

(e) clothing or other personal possession are missing or are damaged;

(f) repeatedly 'loses' money or possession;

(g) subdued or changed behaviour in the presence of certain individual(s);

(h) sudden changes in behaviour;

(i) difficulty concentrating or completing tasks;

(j) sudden changes in physical abilities or performance;

(k) isolation from family, peers, and/or social networks;

(l) developing an eating problem;

(m) withdrawn or isolated;

(n) difficulty sleeping or sleep disorders;

(o) anxiety; and

(p) depression.

4.3 What is Harassment?

Harassment is any unwelcome behaviour or conduct by a person (which may be verbal or physical) that intimidates, offends, belittles, threatens or humiliates another person. This behaviour or conduct may only have to occur once and does not have to occur on multiple occasions to constitute Harassment. Harassment does not have to be intentional, as the primary focus is on the impact of the conduct or behaviour.

As a guide, any behaviour or conduct is likely to be Harassment if a reasonable person would be likely to recognise or construe the behaviour or conduct as being unwelcome and likely to cause the recipient to feel or be offended, humiliated, threatened, or belittled.

Depending on the type of behaviour or conduct and the surrounding circumstances, Harassment may be unlawful as there are a range of Commonwealth and State / Territory legislation that protects against such behaviour or conduct. In particular, the law protects against:

(a) Harassment that targets or has a consequential adverse impact on an individual or group of people because of a personal characteristic or attribute that is protected by State, Territory or Commonwealth anti-discrimination laws; and

(b) sexual harassment, which is one type of Harassment. It relates to a wide range of unwelcome behaviour and conduct that is of a sexual nature, such as but not limited to comments, remarks or innuendo and can be verbal, written, visual or physical.

5. REPORTING BULLYING OR HARASSMENT

5.1 Reporting Bullying and/or Harassment

Reporting Bullying and Harassment is an important mechanism to prevent these types of behaviours or conduct in football. Members should be able to speak up and to report such incidents, and to be supported by a Football Entity if they do so.

Any person who reasonably believes that they may have witnessed or been the victim of Bullying and/or Harassment that involves a Member may report it to a Football Entity in accordance with Football Australia's National Complaints Procedure, which is available on the Football Australia website at www.footballaustralia.com.au/report .

5.2 Support for Members involved Bullying and/or Harassment

MPIOs are available to provide support throughout the processes outlined in this Policy.

Importantly, no person is to be treated unfairly or victimised for reporting or complaining about discriminatory conduct or behaviour. Football Entities may take action in accordance with the National Code of Conduct and Ethics against a Member who engages in unfair treatment or victimisation of any person involved in or affected by a Bullying and/or Harassment incident.

Football Entities may also assist in directing any Member involved with or affected by an incident which involves Bullying and/or Harassment in football to external experts who provide counselling and mental health services to offer further support, where appropriate.

6. ADDITIONAL RESOURCES

(a) International Olympic Committee Consensus Statement: Harassment and abuse (non-accidental violence) in sport - https://bjsm.bmj.com/content/bjsports/50/17/1019.full.pdf

(b) Play by the Rules - https://www.playbytherules.net.au/

(c) Play by the Rules – Harassment and Discrimination Online Course - https://www.playbytherules.net.au/online-courses/harassment-and-discrimination-online-course

7. DICTIONARY AND INTERPRETATION

7.1 Dictionary

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

If a capitalised term within this Policy is not defined within this Dictionary, its definition is as contained within the Football Australia Statutes.

In this Policy:

Bullying or ***Bully*** has the meaning given in section 4.1.

Football Australia means Football Australia Limited, the governing body of football (soccer) in Australia.

Football Entity means Football Australia, a State Body Member, District Association, Regional Branch or Zone, a Competition Administrator or a Club, including a National League Club, as the case requires.

Governing Bodies means Football Australia and the Member Federations of Football Australia.

Harassment or ***Harass*** has the meaning given in section 4.3.

Member means all registered participants, which includes Players, coaches, volunteers, administrators, Officials and referees. For the purpose of this Policy, a Member includes any person who is unregistered, but ought to have been registered under the National Registration Regulations (such as a player who participated in a Match).

Member Federation has the same meaning as in the Football Australia Statutes, being a State, Territory or regional federation or association that is a member or interim member of Football Australia from time to time and includes:

(a) Capital Football www.capitalfootball.com.au/;

(b) Football New South Wales www.footballnsw.com.au/;

(c) Football Northern Territory www.footballnt.com.au/;

(d) Football Queensland www.footballqueensland.com.au/;

(e) Football South Australia www.ffsa.com.au/;

(f) Football Tasmania www.footballfedtas.com.au/;

(g) Football Victoria www.footballfedvic.com.au/;

(h) Football West www.footballwest.com.au/; and

(i) Northern New South Wales Football www.northernnswfootball.com.au/.

Member Protection Information Officer or ***MPIO*** means a person who has satisfied their state's or territory's requirements for becoming an MPIO. The MPIO is responsible for providing information about a person's rights, responsibilities and options to an individual making a complaint, Report or raising a concern, as well as support during the process. They may reside within a Football Entity. They will have knowledge of the various processes and policies that apply within the relevant Football Entity. They are not a person who investigates matters, advises, or advocates for a complainant.

National Leagues means:

(a) the men's first division club competition in Australia, currently known as the A-League;

(b) the women's first division club competition in Australia, currently known as the W-League; and

(c) the national youth club competition in Australia, currently known as the Y-League.

National Leagues Club means a Club participating in at least one (1) of the National Leagues.

Policy means this Anti-Bullying and Harassment Policy.

7.2 Interpretation

To help guide in understanding this Policy, the following rules of interpretation apply:

(a) capitalised words which are not defined above have the meaning given to them in the Football Australia Statutes;

(b) the singular includes the plural and conversely;

(c) any use of the word "includes" or similar words such as "for example" or "such as" are not words of limitation;

(d) headings are for convenience only;

(e) where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings; and

(f) except for a matter determined in accordance with the Grievance Procedure, Football Australia will interpret all terms of the Football Australia Statutes (including this Policy) and any such interpretation will be final and binding on every person.

8. TRANSITIONAL MEASURES

Any report, formal complaint or other member protection proceedings or tribunal proceedings that have commenced pursuant to the jurisdiction of the repealed Member Protection Policy prior to 18 December 2020 will continue as if the Member Protection Policy was still in place, to the extent necessary.

Any reference to Football Australia's National Member Protection Policy in any Football Australia Statutes will be read as a reference to the Football Australia Member Protection Framework.