



LEISURE INSTITUTE OF WA AQUATIC (INC.)

# Member Protection Policy

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# Member Protection Policy

## Introduction

The Leisure Institute of Western Australia (Aquatics) aka LIWA Aquatics is an incorporated not for profit body that represents the best interests of the aquatic and recreation industry and its members in Western Australia.

LIWA Aquatics Mission is “To support the Western Australian Aquatic Recreation industry by providing advocacy, accreditation and regular professional development opportunities”

## Purpose of our policy

The main objective of our Member Protection Policy (policy) is to maintain responsible behaviour and the making of informed decisions by members of LIWA Aquatics. It outlines our commitment to a person’s right to be treated with respect and dignity, and to be safe and protected from abuse. Our policy informs everyone involved in our organisation of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

## Who our policy applies to

Our policy applies to everyone involved in LIWA Aquatics including committee members, LIWA Aquatics members, Trade members/exhibitors and guest of LIWA Aquatics.

## Extent of our policy

Our policy covers unfair decisions and actions, breaches of our code of behaviour and behaviour that occurs at meetings, workshops, conferences and events organised or sanctioned by LIWA Aquatics. It also covers private behaviour where that behaviour brings LIWA Aquatics into disrepute.

## Responsibilities

### LIWA Aquatics responsibilities

We will:

- implement and comply with our policy;
- promote our policy to everyone involved in or associated with LIWA Aquatics;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy every 12-18 months; and
- seek advice from and refer serious issues to appropriate authorities.
  - *Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, mental and child abuse) and any other issues that have been referred to LIWA Aquatics by its members or about a member.*

### Individual responsibilities

Everyone associated with LIWA Aquatics must:

- comply with the standards of behaviour outlined in this policy;
- treat others with respect;
- be responsible and accountable for their behaviour; and
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible abuse, discrimination, harassment or other inappropriate behaviour.

### Anti-harassment, Discrimination and Bullying

LIWA Aquatics opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as but not limited to mobile phone, social media and email.

Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

LIWA Aquatics takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with LIWA Aquatics (see Responding to Complaints).

### Inclusive practices

LIWA Aquatics is welcoming and we will seek to include members from all areas of our communities.

#### People with a disability, medical condition or intolerance.

Where possible we will include people with a disability and take into consideration members with medical condition(s) and / or intolerance when organising LIWA Aquatics events and activities to enable participation.

#### People from diverse cultures

We will support and respect people from diverse cultures and religions to participate at our events or activities and where possible will accommodate requests for flexibility.

#### Sexual & Gender Identity

All people, regardless of their sexuality, are welcome in our organisation. We strive to provide a safe environment for participation and will take action over any homophobic behaviour.

## Code of Ethics

All who officially represent the Institute, including Members and Office Bearers, must abide by the following Code of Ethics.

- i. Upholding the Objectives of the Institute and abide by its policies and procedures.
- ii. Respect the rights, dignity and worth of every human being, treating everyone equally and fairly regardless of their sex, age, religion or ethnic origins.
- iii. Ensure that all activities associated with one's role within the Institute are exercised to the best of one's ability and competence and discharged with the utmost honesty and integrity.
- iv. Conduct oneself in a professional manner ensuring one's actions and behaviour will not compromise the Institute's or its members status or reputation.
- v. Commit to a positive, open, supportive and honest cultural framework with which the Institute operates, encouraging others to operate similarly.
- vi. Operate within the spirit and rules of the Institute.
- vii. Acknowledge and accept responsibility for one's actions.
- viii. Never make comparisons or statements about the Institute, fellow members or the public that are not based on verifiable facts.
- ix. Not enter into any agreement or undertake any activity which may be in conflict with the Institute's interest or which would prejudice the performance of its operations.
- x. At all times safeguard the Institute's interest by not knowingly being party to or undertake any illegal, unprofessional or unethical activity.
- xi. Not use any confidential information gained from the Institute for personal gain nor in a manner which would be detrimental to or compromise the reputation or the activities of the Institute.

## Alcohol Consumption at LIWA Aquatics events

LIWA Aquatics is committed to the responsible service and consumption of alcohol. This alcohol policy outlines LIWA Aquatics expectations of behaviour for all members, trader exhibitors and guests of LIWA Aquatics events. In becoming a member of LIWA Aquatics, you agree to abide by this policy and understand that any breaches of the approved service of alcohol or inappropriate behaviour that results from excessive consumption of alcohol will result in disciplinary action.

### Serving alcohol

The guidelines for serving alcohol are to ensure the safety and well-being of every person that attends LIWA Aquatics events.

LIWA Aquatics will ensure when hosting an event that serves alcohol, that the venue has a valid and current Liquor Licence. Alcohol will be served in accordance with the venue's requirements of its liquor licence, which includes but is not limited to:

- Alcohol will only be consumed in licensed areas
- Alcohol will only be served in standard drink measures
- An Approved Manager will be on duty when the bar is open
- Bar staff will be Responsible Service of Alcohol (RSA) trained
- Bar staff will not consume alcohol whilst on shift
- Free drinking water will be provided when the bar is open
- Persons aged under 18 will not be allowed behind the bar under any circumstances

### Intoxicated patrons

LIWA Aquatics supports and promotes the following actions of the venue that includes but not limited to;

- Alcohol will not be served to any person who is intoxicated
  - Signs of intoxication include slurred speech, impaired balance, poor coordination, reduced inhibition, becoming aggressive or belligerent, and exhibiting inappropriate behaviour and it is reasonable in the circumstances to believe that the impairment results from the consumption of alcohol
- Bar staff will follow procedures provided in their RSA training for dealing with and refusing alcohol to intoxicated patrons, this includes refusing to serve alcohol to any patron they believe is becoming intoxicated
- Approved Manager on duty will not overrule a decision made by bar staff to refuse service to a patron
- Patrons will not supply alcohol to any other person who is intoxicated or who has been refused service by bar staff
- Intoxicated patrons will be asked to leave the event and/or licensed venue.

### Underage drinking

- No alcohol will be knowingly sold or supplied to a person aged under 18
- Only one of the following approved forms of photographic ID will be accepted
  - Current Australian driver's licence with a photograph
  - Current passport
  - Proof of Age Card or Photo Card issued by any Australian state or territory
  - Australian Learner Driver Permit card with a photograph.
- Event Staff and/or LIWA Aquatics committee members can request proof of age of any person they believe to be aged under 18

### Safe transport

- LIWA Aquatics will, where practical, organise events near appropriate accommodation to reduce the need for transportation.
- LIWA Aquatics will encourage all event patrons to make good safe and lawful decisions when choosing transport options and take safe transport home.

### Promoting the responsible consumption of alcohol

- Alcohol advertising should only appear at the licenced venue.
- Consider options other than alcohol to be used as prizes/awards
- Food, including healthy options, will be available during the event
- Low or non-alcohol drinks made available
- No smoking in licensed areas

### Responsibilities of members, traders and guests attending LIWA Aquatics events

- Consume alcohol responsibly at all LIWA events
- Do not arrive at the event under the influence of alcohol or drugs
- Do not bring alcohol to the event
- Do not consume alcohol if you are aged under 18 years
- Do not supply alcohol to intoxicated members/guests or anyone aged under 18 years
- Do not encourage others to drink excessively or take part in team bonding activities that involve excessive consumption of alcohol
- Do not spike another person's drink

Whilst LIWA Aquatics will undertake to educate its members and guests about the alcohol policy through promotion in event advertising, newsletters, website and social media sites, it is the responsibility of each individual to access this information.

## Member Privacy

LIWA recognises that privacy is important and that individuals have a right to control their personal information. LIWA Aquatics acknowledges that providing personal information is an act of trust and LIWA Aquatics takes that seriously. Unless an individual gives LIWA Aquatics consent to act otherwise, the following Regulation governs how personal information of members are handled.

LIWA Aquatics is committed to protecting personal information. LIWA is also committed to complying with the private sector National Privacy Principles set out in Privacy Act (Cth) 1988.

## Collection of Information

LIWA Aquatics will not collect personal information unless the information is necessary for one or more of its functions or activities. LIWA will also only collect personal information by lawful and fair means and not in an unreasonably intrusive way.

At the time of collecting personal information, LIWA will advise the individual of:

- the name and contact details of LIWA Aquatics;
- the fact that he or she is able to gain access to the information;
- the purposes for which the information is collected;
- other organisations to which LIWA Aquatics usually discloses information of that kind;
- the main consequences (if any) for the individual if all or part of the information is not provided.

## Use and Disclosure

LIWA Aquatics will not use or disclose personal information about an individual for a purpose (the **secondary purpose**) other than the primary purpose of collection unless:

Both of the following apply:

- the secondary purpose is related to the primary purpose of collection and, if the personal information is sensitive information, directly related to the primary purpose of collection; and
- the individual would reasonably expect LIWA Aquatics to use or disclose the information for the secondary purpose; or
- the individual has consented to the use or disclosure; or
- if the information is not sensitive information and the use of the information is for the secondary purpose of direct marketing;
- it is impracticable for LIWA to seek the individual's consent before that particular use; and
- LIWA will not charge the individual for giving effect to a request by the individual to LIWA not to receive direct marketing communications; and
- the individual has not made a request to LIWA not to receive direct marketing communications; and



- in each direct marketing communication with the individual, LIWA draws to the individual's attention, or prominently displays a notice, that he or she may express a wish not to receive any further direct marketing communications; and
- each written direct marketing communication by LIWA with the individual sets out LIWA's business address and telephone number; or

LIWA Aquatics reasonably believes that the use or disclosure is necessary to lessen or prevent:

1. a serious and imminent threat to an individual's life, health or safety; or
2. a serious threat to public health or public safety; or

LIWA Aquatics has reason to suspect that unlawful activity has been, is being or may be engaged in, and uses or discloses the personal information as a necessary part of its investigation of the matter or in reporting its concerns to relevant persons or authorities; or

1. the use or disclosure is required or authorised by or under law;
2. or LIWA reasonably believes that the use or disclosure is reasonably necessary for one or more of the following by or on behalf of an enforcement body:

LIWA Aquatics may also use the data under the following circumstances

- the prevention, detection, investigation, prosecution or punishment of criminal offences, breaches of a law imposing a penalty or sanction or breaches of a prescribed law;
- the enforcement of laws relating to the confiscation of the proceeds of crime;
- the protection of the public revenue;
- the prevention, detection, investigation or remedying of seriously improper conduct or prescribed conduct;
- the preparation for, or conduct of, proceedings before any court or tribunal, or implementation of the orders of a court or tribunal.

## Data Quality

LIWA Aquatics will take reasonable steps to make sure that the personal information it collects uses or discloses is accurate, complete and up-to-date.

## Responding to Complaints

### Complaints

LIWA Aquatics takes all complaints about on and off-field behaviour seriously. LIWA Aquatics will handle complaints based on the principles of procedural fairness (natural justice), that is:

- All complaints will be taken seriously; both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story);
- Irrelevant matters will not be taken into account; decisions will be unbiased and fair; and
- Any penalties imposed will be fair and reasonable.
- If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then LIWA Aquatics will need to report the behaviour to the police and/or relevant government authority.

### Complaint Handling Process

- When a complaint is received by LIWA Aquatics, the person receiving the complaint (e.g. President, Vice President or Executive Officer) will:
- Listen carefully and ask questions to understand the nature and extent of the problem; ask what the complainant would like to happen;
- Explain the different options available to help resolve the problem;
- Take notes; and
- Maintain confidentiality but not necessarily anonymity.
- Once the complainant decides on their preferred option for resolution, LIWA Aquatics will assist, where appropriate and necessary, with the resolution process. This may involve:
- Supporting the person complaining to talk to the person being complained about
- Bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- Gathering more information (e.g. from other people that may have seen the behaviour);
- Seeking advice from our district, regional, state and/or national body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);
- Referring the complaint to our [district, regional, state or national] association; and/or
- Referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.
- In situations where a complaint is referred to our [district, regional, state or national] association and an investigation is conducted, LIWA Aquatics will:
- Co-operate fully; ensure the complainant and respondent are not victimised;
- Where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

## Disciplinary Measures

- Our organisation will take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:
- Be applied consistent with any contractual and employment rules and requirements;
- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;
- Be determined by our Constitution, By Laws and the rules of the game.
- Possible measures that may be taken include:
- Verbal and/or written apology;
- Counselling to address behaviour;
- Withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by LIWA Aquatics;
- Suspension or termination of membership, participation or engagement in a role or activity; de-registration of accreditation for a period of time or permanently;
- A fine; or
- Any other form of discipline that LIWA Aquatics considers reasonable and appropriate.
- Appeals

## Member protection declaration

LIWA Aquatics has a duty of care to all those associated with our organisation. As a requirement of our Member Protection Policy, we must enquire into the background of those wishing to become members of LIWA Aquatics

By applying for membership of LIWA Aquatics you are declaring that;

- You do not have any criminal charge pending before the courts.
- You do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence or discrimination.
- You have not had any disciplinary proceedings brought against yourself by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence or discrimination.
- To the best of your knowledge there is no other matters that LIWA Aquatics may consider to constitute a risk to its members, employees, volunteers, guests or reputation by engaging with you.
- You will notify the President of LIWA Aquatics immediately upon becoming aware that any of the matters set out in clauses directly above has changed.

## Reporting forms

### Record of complaint

<b>Name of person receiving complaint</b>		<b>Date:</b> /     /
<b>Complainant's Name</b>		
<b>Complainant's contact details</b>		
<b>Complainant's role/status in Club</b>	<input type="checkbox"/> Committee Member <input type="checkbox"/> LIWA Aquatics Member <input type="checkbox"/> Trade Member / Exhibitor <input type="checkbox"/> Other .....	
<b>Name of person complained about</b>	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
<b>Person complained about role/status</b>	<input type="checkbox"/> LIWA Aquatics Committee member <input type="checkbox"/> LIWA Aquatics member <input type="checkbox"/> Trade Exhibitor <input type="checkbox"/> LIWA Aquatics Guest <input type="checkbox"/> Other .....	
<b>Location/event of alleged issue</b>		
<b>Description of alleged issue</b>		
<b>Nature of complaint (category/basis/grounds)</b>	<input type="checkbox"/> Harassment or Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods	
<b>Can tick more than one box</b>	<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 .....	

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**What they want to happen  
to fix issue**

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**Information provided to  
them**

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**Resolution and/or action  
taken**

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**Follow-up action**

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**Date action/resolution  
complete**

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