



**POLICY STATEMENT
MEMBERSHIP PROTECTION
Star-Mites Gym Sports Pty Ltd**

Policy Name:	Membership Protection Policy
Date of Issue:	November 2004
Next review:	January 2024
Policy Coverage:	All management, Athletes, Members & Staff
Controlling Body:	Star-Mites Gym Sports Pty Ltd -Directors

MEMBER PROTECTION POLICY {Schedule C}

PREAMBLE

The organisation's Protection Policy is designed to operate with the Australian Gymnastic Federation Member Protection Policy.

1. POLICY STATEMENT

- 1.1 The organisation is committed to providing a sport and work environment free of discrimination and harassment (sexual or otherwise), where individuals are treated with respect and dignity. Star-Mites Gym Sports will not tolerate discriminatory or harassing behaviour under any circumstances and will take disciplinary action against anyone who breaches this Policy.
- 1.2 Star-Mites Gym Sports is committed to ensuring that children's safety, welfare, and well-being are maintained at all times while participating in activities run by Star-Mites Gym Sports and its member bodies. Accordingly, any person involved in the instruction, management, or coaching of any member under 18 may be asked to undergo screening procedures, including police and other probity checks.

2. POLICY APPLICATION

- 2.1 This Policy applies to all members of Star-Mites Gym Sports, employees, officers, administrators, volunteers, coaches, judges, athletes and officials (**Members**).
- 2.2 This Policy applies equally to Members involved in each of the Star-Mites Gymnastics disciplines, including Men's Artistic Gymnastics, Women's Artistic Gymnastics, General Gymnastics, Pre School-Gymnastics
- 2.3 This Policy applies to behaviour occurring both within and outside the club's business, activities, and events when the behaviour involves Members and negatively affects relationships within Star-Mites Gym Sport and the work environment.

3. POLICY COVERAGE

- 3.1 Discrimination and all forms of harassment are unlawful under federal, state and territory law. People engaging in such conduct can have legal action taken against them under these laws. In some cases, legal action can also be taken against the organisation they work for or represent. For this reason, Star-Mites Gym Sports has a legal responsibility to ensure that discrimination or harassment does not occur in the course of any of the Star-Mites Gym Sports activities.
- 3.2 The law is always the minimum standard for behaviour within Star-Mites Gym Sports, and therefore, any criminal offence will be reported to the appropriate authorities.

Discrimination

- 3.3 mistreating anyone based on various attributes or personal characteristics in crucial areas of public life is unlawful.
- 3.4 A Member must not treat someone less favourably than another person based on an attribute (such as race, sex, age, marital status, sexuality, pregnancy or intellectual or physical impairment) than someone else without that attribute in the same or similar circumstances.
- 3.5 Indirect discrimination is also unlawful. This means that a member cannot impose a requirement, condition or practice that is the same for everyone but that has an unequal or disproportionate effect or result on particular groups. Unless this requirement is reasonable in all the circumstances, it is likely to be indirect discrimination, even if there was never any intention to discriminate.

Harassment

- 3.6 Harassment can take many forms but can generally be defined as unwelcome verbal or written comments, conduct, or gestures directed toward an individual or group of individuals that the harasser knows or should reasonably be expected to know, is insulting, intimidating, humiliating, malicious, degrading or offensive.
- 3.7 Sexual harassment is behaviour that has a sexual element that is unwelcome and could reasonably be expected, in the circumstances in which it occurs, to offend, humiliate or intimidate the person or people at whom it is directed.
- 3.8 A Member must not engage in any form of harassment, including:
 - written, verbal or physical abuse or threats;
 - unwelcome physical contact;
 - the display of offensive materials;
 - promises or threats in return for sexual favours;
 - unwelcome sexual comments, jokes or propositions;
 - homophobic comments or behaviours; or
 - jokes or comments directed at a person's body, looks, age, race, disability, sexuality, marital status or pregnancy.

3.9 Anti-Discrimination

Star-Mites Gym Sports 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 that has an unequal or disproportionate effect on people with a specific 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 mobile phone and computers. Some forms of harassment, discrimination and bullying based on personal characteristics are against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer issues to Star-Mites MPIO

Intimate Relations

Star-Mites Gym Sports takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided. Star-Mites Gym Sports takes the view that such relationships, while not necessarily constituting unlawful harassment, can have harmful effects on the individual athlete involved, on other athletes and coaches, and the sport's public image. Such relationships tend to be intentionally or unintentionally exploitative because there is usually a disparity between coaches and athletes regarding authority, power, maturity, status and dependence. Star-Mites Gym Sports policy position is similar to other organisations that disallow professionals such as teachers, doctors and counsellors to have sexual relationships with their clients or students. Should a sexual relationship develop between an athlete and coach, Star-Mites Gym Sports will investigate whether any action against the coach is necessary. Factors that may be relevant to consider are the age and maturity of the athlete relative to the coach, the financial or emotional dependence of the athlete on the coach, and the likelihood of the relationship having any adverse impact on the athlete and other athletes. If it is determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. Action may include transfer, a request for resignation or dismissal from coaching duties. If an athlete attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches and explaining the ethical basis for such action. The coach may wish to approach the Star-Mites MPIO if they feel harassed.

Victimisation

- 3.10 Club must not subject any person to victimisation.
- 3.11 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 right to make a complaint or support another person in making a complaint against another person.

Child Protection

- 3.12 Star-Mites Gym Sports must not employ or engage a person (whether paid or unpaid) to coach or otherwise supervise a child under the age of 18 years without first:
 - (a) requiring that person to disclose whether or not they have been convicted of a serious sex offence and
 - (b) conducting a police or other appropriate probity check on that person.
- 3.13 Star-Mites Gym Sports must notify the appropriate authorities (such as the Commission for Children and Young People) of the following:
 - (a) any applicants for employment that the club rejected as a result of risks identified through screening processes and
 - (b) the name and other identifying details of any person against whom Star-Mites Gym Sports has completed relevant disciplinary proceedings concerning child abuse (sexual or otherwise), irrespective of the findings.

4. ROLES AND RESPONSIBILITIES OF ALL CLUB EMPLOYEES

- 4.1 This section specifies the roles and responsibilities of all Star-Mites Gym Sports employees. In some cases, particular employees have additional roles and responsibilities specified below.

All Employees & Volunteers

4.2 An employee & Volunteers must:

- (a) comply with this Policy;
- (b) make complaints about a breach of the Policy in accordance with Star-Mites Gym Sports Complaints Handling Procedure;
- (c) submit to the Complaints Handling Procedure if an allegation is made against Star-Mites Gym Sports or employees;
- (d) not make any frivolous or vexatious claim that another person is in breach of this Policy; and
- (e) properly conduct themselves so as not to bring Star-Mites Gym Sports, or the sport generally, into disrepute.

Administrators/Managers

4.3 Administrators/Managers must ensure that the organisation they are employed or engaged by:

- (a) provides and promotes an environment free from discrimination and harassment concerning its employment functions, its membership eligibility and any supply of goods and services;
- (b) distributes, promotes and implements this Policy and Complaints Handling Procedure;
- (c) encourages reporting of discrimination, harassment or child abuse, regardless of who the offender might be, and that appropriate training is provided to those who manage and implement this, Policy and
- (d) deals with complaints in an impartial, sensitive, timely and confidential manner.

Coaches

4.4 Coaches must:

- (a) comply with the Coaches' Code of Ethics (incorporated in the Technical Membership Handbook from time to time);
- (b) understand and respect that as a coach they have considerable power and authority over athletes and should not abuse it;
- (c) avoid intimate relationships with athletes;
- (d) not exclude or treat less favourably any athlete from playing or coaching activities based on an attribute or personal characteristic;
- (e) always assume that there are lesbian, gay and bisexual people on teams and among the coaching and support staff, even if they have chosen not to identify themselves, and make it clear that the coach will not tolerate any prejudice based on sexual orientation; and
- (f) Avoid focusing on an athlete's disability unless this is the only way for the coach to determine what adjustments the athlete requires.

Judges

4.5 Judges must comply with the Judges' Code of Ethics (incorporated in the Technical Membership Handbook).

5. COMPLAINT PROCEDURES AND DISCIPLINARY ACTION

- 5.1 Star-Mites Gym Sports has developed a Complaints Handling Procedure and will deal with any complaints about breaches of this Policy promptly, seriously, sensitively and confidentially. Star-Mites Gym Sports recognises that natural justice is the minimum standard of fairness for investigating and adjudicating a complaint.
- 5.2 The club will take disciplinary action against anyone who:
- (a) is found to be in breach of this Policy;
 - (b) victimises or retaliates against a person who has complained of a breach of this Policy or
 - (c) is found to have made a frivolous or vexatious complaint.
- 5.3 The discipline will depend on the severity of the case and may involve any apology, counselling, suspension, dismissal or other form of action.

6. CONFIDENTIALITY AND REPORTING

- 6.1 Star-Mites Gym Sports administration responsible for implementing this Policy will keep confidential the names and details relating to complaints unless disclosure is:
- (a) necessary as part of the disciplinary or corrective process or
 - (b) required by law

**Star-Mites Gym Sports
Complaint Handling Procedure**

7. PROCEDURAL STEPS

- 7.1 Star-Mites Gym Sports undertakes to promptly, seriously, sensitively and confidentially deal with complaints of a breach of the Member Protection Policy.
- 7.2 At any stage, it is the prerogative of the Complainant to proceed with or dissolve a complaint.

Discussion

- 7.3 Should a complaint arise, the club encourages the Complainant to consider the following options:
- (a) approach the person creating the problem and ask them to stop the behaviour or
 - (b) if the behaviour continues, or it is not possible to approach the person, contact either:
 - (i) coach or manager;
 - (ii) the club's Member Protection Contact Officer or
 - (iii) owner or other official of the club.

Member Protection Contact Officer:

Leederville: Lee Myree Diconza lee-myree@starmites.com.au 0427 500 906

Bayswater: Leigh-Anne Bonasera leigh-anne@starmites.com.au 0439 934 587

- 7.4 If the Complainant decides to proceed, the Member Protection Contact Officer refers the matter to the Member Protection Grievance Officer or designated person in authority for investigation.

Member Protection Grievance Officer:

Lauren Murray lauren@starmites.com.au 0408 648 897

- 7.5 The Member Protection Grievance Officer determines whether or not to investigate the complaint.
- 7.6 If the Member Protection Grievance Officer determines to investigate, the Officer:
- (a) informs the alleged wrongdoer;
 - (b) interviews both parties separately;
 - (c) keeps confidential records of the process;
 - (d) attempts mediation to achieve resolution, and
 - (e) follows up on the Complainant.

External resolution

- 7.7 If the complaint is unresolved, the Complainant may write to an external organisation for mediation or arbitration. This can be done with the support of the Member Protection Grievance Officer. E.g. [Gymnastics WA](#)
- 7.8 If the complaint is upheld, a remedy will be prescribed by that external organisation.

Signed: Liz Gardiner

Dated 25th January 2024

Star-Mites Gym Sports will review this policy annually and ensure all company members, staff, and volunteers know it.