

<b>POLICY TITLE</b>	ANDRA Member Protection Policy
<b>PURPOSE</b>	To maintain responsible behaviour and the making of informed decisions by members and other participants in this organisation.
<b>INTRODUCED</b>	November 2020
<b>REVIEWED</b>	
<b>REVIEW FREQUENCY</b>	As Required
<b>RESPONSIBLE</b>	ANDRA

## Overview

Australian National Drag Racing Association Limited (ANDRA Ltd) provides an environment which protects the health, safety and wellbeing of all members of ANDRA including all those who participate in events, its affiliated clubs and tracks, competitors, officials, volunteers, employees, organisers and spectators.

The establishment of the Policy provides a code of behaviour which forms the basis of appropriate and ethical conduct so that ANDRA's members can participate in a safe environment.

The Policy also provides a mechanism for Complaint resolution and guidelines for Child protection, definitions of acceptable behaviour and a Code of Conduct.

## Definitions

Terms used in this Policy have the meanings given below unless stated otherwise in this Policy:

Abuse is a form of Harassment and includes physical abuse, emotional abuse, sexual abuse, neglect, and abuse of power. Examples of abusive behaviour include bullying, humiliation, verbal abuse and insults.

Affiliated Club means a club which is currently affiliated with ANDRA.

ANDRA Event means a motor racing event which is run under an ANDRA issued sanction.

Child and Children means a person or persons who are under the age of 18 years.

Child Abuse is conduct which puts children at risk of harm (usually by adults, sometimes by other Children) and often by those they know and trust. It can take many forms. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child Abuse may include:

- Physical Abuse by hurting a Child or a Child's development (e.g. hitting, shaking or other physical harm; giving a Child alcohol or drugs; or training that exceeds the Child's development or maturity).
- Sexual Abuse by adults or other Children where a Child is encouraged or forced to watch or engage in sexual activity or where a Child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including Child pornography or inappropriate touching or conversations).
- Emotional Abuse by ill-treating a Child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a Child).
- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a Child from danger or foreseeable risk of harm or injury).

Code of Conduct means the code of conduct referred to under the heading 'Code of Conduct' in the Policy.

Complaint means a complaint concerning a breach of this Policy made under the "Complaints Procedures" part of this Policy.

Complainant means a Relevant Person who is entitled to make a Complaint.

Discrimination means treating or proposing to treat someone 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). The characteristics covered by Discrimination law generally across Australia are:

- age;
- disability;
- family/ carer responsibilities;
- marital status;
- parental/ carer status;
- physical features (Victoria only);
- irrelevant medical record;
- irrelevant criminal record;
- political belief/ activity;
- pregnancy and breastfeeding;
- race;
- religious belief/ activity;
- sex or gender;
- sexual orientation;
- social origin;
- trade union membership or activity; and
- transgender orientation.

This definition does not exclude the additional characteristics of Discrimination provided for in any Commonwealth, State or Territory legislation.

Discrimination is not permitted in the areas of employment (including volunteer and unpaid employment); the provision of goods and services; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any participant or other person to any competition; obtaining or retaining membership of an organisation (including the rights and privileges of membership).

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination may also be discriminatory conduct.

FIA means the Federation Internationale de l'Automobile.

Harassment is any type of behaviour that the other person does not want and does not return and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and of a type that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful Harassment includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexuality or other characteristic (see characteristic list under Discrimination).

Whether or not the behaviour is Harassment is determined from the point of view of the person receiving the Harassment. The basic rule is if someone else finds it harassing then it could be Harassment. Harassment may be a single incident or repeated. It may be explicit or implicit, verbal or non-verbal.

Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify people on other grounds such as homosexuality, gender identity, HIV/ AIDS, religion and disability (see also Vilification.)

Investigatory Tribunal means an ANDRA investigatory tribunal formed by ANDRA to investigate or hear a formal Complaint.

Mediator means a person appointed by ANDRA to mediate a Complaint made under this Policy.

Member Protection is a term used by the Australian sport industry to describe the practices and procedures that protect Relevant Persons. Member protection involves:

- protection of those who are involved in sport activities from Harassment, Abuse, Discrimination, workplace bullying and other forms of inappropriate behaviour;
- adoption of appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with Children; and
- provision of education.

MPIO means a 'Member Protection Information Officer', being a person appointed by ANDRA who has been trained to be the first point of contact for a person reporting a Complaint under, or a breach of, this Policy. An MPIO provides confidential information and moral support to the person with the concern or who is alleging a breach of this Policy.

Natural Justice incorporates the following principles which are to apply as is reasonable in the circumstances given the nature and severity of the complaint:

- a person who is the subject of a Complaint must be reasonably informed of the allegations against them;
- a person who is the subject of a Complaint must be given a reasonable opportunity to respond to the allegations and raise any matters in their own defence;
- all parties need to be given a reasonable opportunity to be heard (in person or in writing depending on the nature of the Complaint) and all relevant submissions considered;
- irrelevant matters should not be taken into account;
- no person may judge their own case;
- the decision maker/ s must be unbiased, fair and just; and
- the penalties imposed must be reasonable in the circumstances.

Police Check means a national criminal history record check conducted as a prudent pre-employment or pre-engagement background check on a person.

Policy means this 'ANDRA Member Protection Policy.'

Relevant Person means any of the following:

- members of ANDRA boards, commissions, councils, committees, working groups and panels;
- employees, individual contractors and volunteers of ANDRA;
- competitors;
- officials;
- Event Organisers;
- Affiliated Clubs;
- organisers and promoters of an ANDRA Event; and

- any other person including spectators, parents/ guardians and sponsors, who or which agrees in writing (whether on a ticket, entry form, by operation of regulations or otherwise) to be bound by ANDRA rules, policies and procedures.

Respondent means a Relevant Person against who a Complaint is made.

Sexual Harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual Harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual Harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not Sexual Harassment.

Sexual Offence means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under State/ Territory legislation):

- rape;
- indecent assault;
- sexual assault;
- assault with intent to have sexual intercourse;
- incest;
- sexual penetration of a Child under the age of 16;
- indecent act with a Child under the age of 16;
- sexual relationship with a Child under the age of 16;
- sexual offences against people with impaired mental functioning;
- abduction and detention;
- procuring sexual penetration by threats or fraud;
- procuring sexual penetration of a Child under the age of 16;
- bestiality;
- soliciting acts of sexual penetration or indecent acts;
- promoting or engaging in acts of Child prostitution;
- obtaining benefits from Child prostitution;
- possession of Child pornography; and
- publishing Child pornography or 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.

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 government legislation (e.g. anti-discrimination) or under this Policy, or for supporting another person to make a Complaint.

Vilification involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of Discrimination. Public acts that may amount to Vilification include any form of communication to the public and any conduct observable by the public.

Workplace Bullying is the repeated less favourable treatment of a person by another or others in the workplace, which may be considered unreasonable and inappropriate workplace practice. It includes behaviour that intimidates, offends, degrades

or humiliates a worker.

Bullying behaviours range from the very obvious such as physical and verbal assault and Abuse through to the very subtle such as continually undermining another person. The following lists some examples of the types of behaviour that might constitute bullying and intimidation but is by no means an exhaustive list:

- physical or verbal assault;
- belittling opinions or constant criticism;
- yelling or screaming at, or the use of offensive language;
- derogatory, demeaning or inappropriate comments or jokes about a person's appearance, lifestyle and background;
- insults;
- isolating workers from normal work interaction, training and development or career opportunities;
- overwork, unnecessary pressure and unreasonable deadlines;
- tampering with someone's personal effects, work materials or equipment;
- an unacceptably aggressive style from a superior;
- undermining work performance by deliberately withholding work-related information, access, support or resources or supplying incorrect information;
- under-utilisation, creating a feeling of uselessness;
- unexplained job changes, meaningless tasks, tasks beyond a person's skills and training, and failure to give credit where credit is due;
- over detailed supervision and unwarranted checking of performance; and
- unreasonable "administrative sanctions" such as undue delay in processing applications for training, leave or expenses.

WWCC means a 'working with Children check', as may be required by each state and territory in Australia.

## 1. Policy Overview

This Policy aims to ensure ANDRA's core values, good reputation and positive behaviours and attitudes are maintained. It assists ANDRA in ensuring that every person involved in motor sport is treated with respect and dignity and is safe and protected from Abuse. The Policy also ensures that everyone involved in our sport is aware of their legal and ethical rights and responsibilities.

The Policy attachments provide the procedures that support our commitment to eliminating Discrimination, Harassment, Child Abuse, bullying and other forms of inappropriate behaviour from motor sport. As part of this commitment, ANDRA will take reasonable steps to investigate and, where appropriate, take disciplinary action against any Relevant Person bound by the Policy if they breach it.

The Policy replaces any previous versions from the date it is adopted by the Board of ANDRA and will operate until replaced. This Policy and/ or its attachments may be amended from time to time by resolution of the board of ANDRA. Copies of the Policy and its attachments can be obtained from the ANDRA website ([www.andra.com.au](http://www.andra.com.au)).

## 2. Core Values

ANDRA, is through delegation by Motorsport Australia and the FIA, the sole authority to regulate drag racing in Australia.

ANDRA is responsible to:

- Relevant Persons for the establishment and maintenance of a regulatory framework for the conduct of ANDRA Events;
- Motorsport Australia through the delegation agreement for the application of competition that is consistent with the National Competition Rules and the maintenance of a well-ordered drag racing activity in Australia that will bring credit upon the sport nationally;
- the FIA for the application of the International Sporting Code and the maintenance of motor sport in Australia; and
- the general public in Australia for motor sport to be conducted in a manner which will not bring unnecessary danger to the community.

ANDRA develops and maintains systems for safety, technical, judicial, accreditation, training, compliance and other intellectual property necessary for the effective management and development of motor sport.

## 3. Code of Conduct

This code of conduct contains the Australian National Drag Racing Association (ANDRA) guidelines and expectations concerning the behaviour and conduct of our employees, officials, members, participants and other persons under our direction or representing us ("Stakeholders") at any time or in any place including, without limitation:

- a) At ANDRA motor sport or other events such as social or sponsorship events ("Events");
- b) While travelling to or from those places; and
- c) At all other times at which Stakeholders are wearing ANDRA or ANDRA team apparel or uniforms, whether compulsorily or by choice.

This Code of Conduct, as amended from time to time, binds all Stakeholders.

Where this Code of Conduct refers to laws, legal procedures or documents or rules or directions of persons or bodies other than ANDRA, it is the Representative's duty and obligation to apprise him or herself of those laws, procedures, rules and directions as they may be in force from time to time.

Stakeholders are required to act in accordance with the following:

### Professionalism

- a) Acknowledge that ANDRA carries on the business of providing fair, safe, and socially responsible motor sport, an activity which is, therefore, vulnerable if its media, public or professional image is tarnished in any way.

- b) Act professionally and represent ANDRA in a professional manner at all times.
- c) Stakeholders must not publicly do or say (or omit to do or say) anything which is (or may be construed as) detrimental, prejudicial, offensive or unfavourable to ANDRA sponsors (or persons or entities related to our sponsors legally or professionally), or which might generate unfavourable or undesirable criticism of them or of any of their products, services or personnel.

#### Good sportsmanship

Acknowledge that part of the activity is in the highly publicised and visible activity of motor sport and must behave towards others in a sportsmanlike manner. Ensure the spirit of competition is always maintained. Be respectful and co-operative in the interpretation and application of rules.

#### Honesty

Stakeholders must not behave in a manner that exhibits bias or commit any premeditated breach of the law or privately imposed rules or regulations. Be honest, respectful, fair, and courteous in all dealings.

#### Compliance to the law

Stakeholders must comply with all laws, statutes, rules, codes of practice, regulations, sub-regulations, or by-laws, in force from time to time, whether relating to ANDRA, motor sport in general or any applicable other matter.

#### Consideration of ANDRA, event organisers and key stakeholders

Stakeholders must recognise the authority of, and comply with the rules, regulations, determinations, resolutions, directions or orders from time to time in force or made of all organisations and professional bodies which control motor sport or any other aspect of the sport from time to time, in particular, but not limited to, safety and disciplinary matters.

#### Compliance to venue rules

Representatives must observe and perform the terms and conditions of any lease, license, entry ticket or other agreement in force for any venue used for any event and comply with any applicable rules or regulations affecting the use of the venue or any instructions including Stewards of the meeting instructions, or requests made by or on behalf of the owner, lessee or licensee of the venue.

#### Compliance to health, safety, and other issues

Stakeholders comply with the ANDRA Workplace Health and Safety Policy, all laws and legal procedures and all manuals and lawful directions issued by ANDRA from time to time, particularly concerning health and safety.

#### Respect of intellectual property

Without limiting their obligations, Stakeholders must not do (or omit to do) or be involved in the doing (or omission) of any act or thing by which intellectual property rights owned by ANDRA may be lost or detrimentally affected. In addition, Stakeholders shall not release documents or other information acquired during their duties without the authorisation of ANDRA.

#### Exercise common sense

Stakeholders must recognise that the conduct by them on behalf of ANDRA, including, without limitation, motor sport events, is by its nature hazardous and must, therefore, exercise common sense at all times. Treat all participants in your sport as you would like to be treated yourself.

You are an ambassador of the sport set a good example at all times

## 4. Organisation Responsibilities

Affiliated Clubs must:

1. Adopt, implement and comply with the Policy
2. publish, distribute and otherwise promote this Policy and the Club Policy and the consequences for breaching them;
3. promote appropriate standards of conduct at all times;
4. promptly deal with any breaches of or Complaints made under their Club Policy in an impartial, sensitive, fair, timely and confidential manner;
5. apply the Club Policy consistently without fear or favour;
6. recognise and enforce any penalty imposed under their Club Policy;
7. ensure that a copy of their Club Policy is available or accessible to the persons to whom their Club Policy applies;
8. appoint or have access to appropriately trained people to receive and handle Complaints and display the names and contact details in a way that is readily accessible; and
9. monitor their compliance with the Club Policy.

## 5. Individual Responsibilities

Relevant Persons must:

1. make themselves aware of this Policy and comply with the standards of conduct outlined in this Policy;
2. consent to a WWCC or national Police Check where required if the individual holds or applies for a role that involves direct and unsupervised contact with a Child;
3. co-operate in providing a Discrimination, Child Abuse and Harassment free motor sport environment;
4. understanding the possible consequences of breaching this Policy; and
5. comply with the requirements of this Policy.

## 6. Policy Obligations

Unless otherwise stated, Relevant Persons must comply with the following:

### 1. Child Protection

ANDRA is committed to the safety and well-being of all Children who participate in ANDRA Events or access ANDRA services. ANDRA supports the rights of the Child and will act to ensure that a Child-safe environment is maintained.

ANDRA acknowledges that our staff and volunteers provide a valuable contribution to the positive experiences of Children involved in our sport and ANDRA encourages their active participation in providing a safe, fair and inclusive environment for all participants.

#### 1.1 Identify and analyse risk of harm

ANDRA and Affiliated Clubs should each develop and implement a risk management strategy, including a review of their existing Child protection practices, to determine how Child-safe they are and to identify any additional steps they can take to minimise and prevent the risk of harm to Children because of the actions of an employee, volunteer or another person.

#### 1.2 Develop codes of behaviour

All Relevant Persons must comply with the Code of Conduct (Item 3 of this document) and the Child safe guidelines stated in part B of this Policy.

In addition, ANDRA and Affiliated Clubs should promote a code of behaviour that sets out the conduct they expect



respectively of Relevant Persons and members when they deal and interact with Children involved in their activities. Each Affiliated Club should also implement a code of behaviour to promote appropriate conduct between Children.

### 1.3 Choose suitable employees and volunteers

ANDRA and Affiliated Clubs should take all reasonable steps to ensure that they engage suitable and appropriate people to work with Children, especially those in positions that involve regular unsupervised contact with Children. This may include using a range of screening measures.

ANDRA and Affiliated Clubs should take steps to ensure that WWCCs are conducted for respectively Relevant Persons and members who work with Children, where an assessment is required by law. Further information in relation to the conduct of WWCCs can be found in **part B** of this Policy. If a criminal history report is obtained as part of their screening process, ANDRA and Affiliated Clubs should handle this information confidentially and in accordance with the relevant legal requirements.

### 1.4 Support, train, supervise and enhance performance

ANDRA and Affiliated Clubs should ensure respectively that Relevant Persons and members who work with Children have ongoing supervision, support and training.

ANDRA's goal is develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment.

### 1.5 Empower and promote the participation of children

ANDRA and Affiliated Clubs should encourage Children to be involved in developing and maintaining a Child-safe environment.

### 1.6 Report and respond appropriately to suspected abuse and/ or neglect

ANDRA and Affiliated Clubs should ensure respectively that Related Persons and members are able to identify and respond appropriately to Children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable grounds that a Child has been, or is being, abused or neglected. Resources for reporting are contained in part E of this Policy.

Further, if any person believes that another person or organisation bound by this Policy is acting inappropriately towards a child, or is in breach of this Policy, he or she should contact a MPIO.

Anyone who witnesses or reasonably suspects that Child Abuse has been, or is occurring at any ANDRA Event, must report it immediately to the police and/ or the relevant government agency and a MPIO.

If a Relevant Person suspects that Child Abuse is occurring by someone in any other circumstances other than an ANDRA Event, they are advised to contact the Police and/ or the relevant government agency for youth, family and community services in their State/ Territory.

A person will not be victimised by ANDRA for reporting an allegation of Child Abuse and the privacy of all persons concerned will be respected.

## 2. Taking Images of Children

Images of Children can be used inappropriately or illegally. Relevant Persons must, wherever possible, obtain permission from a Child's parent/ guardian before taking an image of a Child that is not their own. They should also make sure the parent/ guardian understands how the image will be used.

To respect people's privacy, Relevant Persons should not use camera phones, videos and cameras inside changing areas, showers and toilets.

When using a photo of a Child, Relevant Persons should not name or identify the Child or publish personal information, such as residential address, email address or telephone number, without the consent of the Child's parent/ guardian. Relevant Persons should not provide information about a Child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a Child.

Relevant Persons should only use images of Children that are relevant to ANDRA Events and they should ensure that they are suitably clothed in a manner that promotes participation in the sport. Relevant Persons should seek permission from the parents/ guardians of the Children before using the images.

### 3. Anti-Discrimination and Harassment Policy

ANDRA aims to promote an environment where all those involved in ANDRA Events are treated with dignity and respect, and without Harassment or Discrimination.

ANDRA recognises that all those involved in ANDRA Events cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their sex, marital status, pregnancy, parental status, race, age, disability, sexual orientation, Transgender orientation, physical features, religion, political belief and/ or industrial activity.

ANDRA prohibits all forms of Harassment and Discrimination at ANDRA Events, not only because it is against the law, but because it is extremely distressing, offensive, humiliating and/ or threatening and creates an uncomfortable and unpleasant environment.

Descriptions of some of the types of behaviour which could be regarded as Harassment or Discrimination are provided in the "Definitions" part of this Policy.

Relevant Persons should note that due to the fundamental nature of motor sport, some activities may not be available to those who suffer from certain Disabilities. ANDRA and Affiliated Clubs will take reasonable steps to try to accommodate those who suffer from certain Disabilities in ANDRA Events.

If any Relevant Person feels they are being Harassed or Discriminated against by a Relevant Person, please refer to the complaints procedure outlined in Part C of the Policy. This will explain what to do about the behaviour and how ANDRA will deal with the problem.

### 4. Workplace Bullying

ANDRA is committed to providing a healthy and safe work and sporting environment that is free from bullying.

Bullying is an unacceptable form of behaviour which will not be tolerated in the workplace under any circumstances. ANDRA expects Relevant Persons to behave in a professional manner and to treat each other with dignity and respect when they are at work.

We encourage anyone who experiences bullying to report it. Any reports of bullying will be treated seriously and investigated promptly, confidentially and impartially. Workplace bullying is governed by the Occupational Health and Safety Legislation in each State.

### 5. Sexual relationships

Consensual sexual relationships between those in positions of authority (such as coaches, team managers, etc.) and Relevant Persons they coach or govern are not permitted as they can have harmful effects on the Relevant Person involved, on other participants and on motor sport's public image.

These relationships can be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the person in a position of authority and the Relevant Person they coach or govern. For this reason, they are not permitted by ANDRA.

If a sexual relationship exists between a person in a position of authority and a Relevant Person they coach or govern, ANDRA will consider whether disciplinary action is necessary. Factors that will be taken into account by ANDRA include the relative age and maturity of the Relevant Persons involved, the financial or emotional dependence of the Relevant Persons on each other and the likelihood of the relationship having an adverse impact on the Relevant Persons (including other Relevant Persons.)

If ANDRA determines that the sexual relationship is inappropriate, action may be taken to stop the governing or coaching relationship in motor sport. This could include, to the extent possible, a transfer, a request for resignation or dismissal from duties.

It is the responsibility of Relevant Persons who coach or govern another to discourage the approach and to explain why such a relationship is not appropriate.

The Relevant Person may wish to seek advice or support from ANDRA if they feel harassed. ANDRA's complaints procedure is outlined in Part C of this Policy.

## 6. Pregnancy

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in ANDRA Events should be removed to the extent reasonably practicable. ANDRA will not tolerate any unlawful Discrimination or Harassment against pregnant women.

Affiliated Clubs should take reasonable care to ensure the safety, health and well-being of pregnant women and their unborn children. Pregnant women should be aware that motor racing can be dangerous and that their own health and well-being, and that of their unborn children, are of utmost importance in their decision-making about the extent they choose to participate in ANDRA Events.

ANDRA encourages all pregnant women to talk with their medical advisors, make themselves aware of the facts about pregnancy in motor sport and ensure that they make informed decisions about their participation in ANDRA Events. ANDRA will not require women to undertake a pregnancy test.

If a pregnant woman feels she has been harassed or discriminated against by a Relevant Person, she may make a complaint.

## 7. Gender identity

ANDRA is committed to providing a safe, fair and inclusive environment at ANDRA Events where people of all backgrounds can contribute and participate. People who identify as Transgender or transsexual should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition.

ANDRA will not tolerate any unlawful discrimination or harassment of a person who identifies as Transgender or transsexual or who is thought to be Transgender or transsexual. If a Transgender or transsexual person feels he or she has been Harassed or Discriminated against by a Relevant Person, he or she may make a complaint (refer to Part C of this Policy.)

ANDRA recognises that excluding Transgender and transsexual people from participating in ANDRA Events has significant implications for their health, well-being and involvement in community life. In general, ANDRA will support their participation in ANDRA Events on the basis of the gender with which they identify.

ANDRA also recognise that there is debate over whether a male-to-female Transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country.

Drug testing procedures and prohibitions also apply to people who identify as Transgender. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption or a medical exemption under the ANDRA illicit drug testing program.

## 8. Responsible service and consumption of alcohol

ANDRA is committed to taking steps to ensure that ANDRA Events are conducted in a manner that promotes the responsible service and consumption of alcohol. ANDRA also recommend that Affiliated Clubs follow strict guidelines regarding the service and consumption of alcohol.

In general, ANDRA's policy is that:

- alcohol should not be available or consumed at ANDRA Events which predominantly involve Children;
- alcohol-free social events should be provided by ANDRA and Affiliated Clubs where appropriate for young people and families;
- food and low-alcohol and non-alcoholic drinks should be made available at ANDRA Events where alcohol is served;
- an appropriate person should be present at ANDRA Events where alcohol is served to ensure appropriate practices are followed; and

- safe transport options should be considered and promoted as part of any ANDRA Event where alcohol is served.

## 9. Smoke-free environment

ANDRA recommends that the following policies be followed at all ANDRA Events:

- No smoking should occur at or near sporting events involving Children.
- Social events should be predominantly smoke-free, with smoking permitted at designated outdoor smoking areas.
- Relevant Persons should refrain from smoking and remain smoke-free while they are involved in an official capacity at ANDRA Events.

## 10. Cyber-Bullying and Social Media

ANDRA regards bullying and Harassment in all forms as unacceptable at ANDRA Events. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

ANDRA's requirements in relation to the use of social media and cyber bullying are further outlined in ANDRA's social media policy, a copy of which is available on the ANDRA website. A breach of ANDRA's social media policy will be considered to be a breach of this Policy.

# 7. Complaints Procedures

## 1. Complaints

ANDRA aims to provide an easy to use, confidential and trustworthy procedure for Complaints based on the principles of Natural Justice. A Complainant may report a Complaint about a Relevant Person if they reasonably believe that the Relevant Person has breached this Policy. A Complaint should be reported to the MPIO.

A Complaint may be dealt with informally or formally. The Complainant decides whether the Complaint will be dealt with informally or formally unless ANDRA considers that the Complaint falls outside the parameters of the Policy. Where the Complaint falls outside the scope of this Policy, ANDRA may assist with the Complaint but is not bound to do so.

All Complaints will be dealt with within a reasonable period of time, seriously, sensitively and confidentially.

Individuals and organisations may also seek to have their Complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation. ANDRA may decide to suspend any Complaint made under this Policy where the matter is also being considered by an external agency.

## 2. Vexatious Complaints and Victimisation

ANDRA aims to ensure that the complaints procedure under this Policy has integrity and is free of unfair repercussions or Victimisation.

Complainants must not knowingly make an untrue Complaint or act in a manner which is vexatious, spurious, for improper purposes or malicious. Where ANDRA considers that a Complainant has acted in any such manner, the Complaint may be dismissed and disciplinary action may be taken against the Complainant such as suspension, expulsion or other disciplinary action.

ANDRA aims to make sure that people involved in a Complaint are not victimised by anyone for coming forward with a Complaint or for helping to resolve a Complaint. Disciplinary measures may be imposed on anyone who victimises another person for making a Complaint.

## 3. Mediation

ANDRA aims to resolve complaints with the minimum of formality wherever possible. In many cases, Complaints can be resolved by agreement between the people involved with no need for disciplinary action or for a formal Complaint to be made under this Policy.

Mediation is a confidential process that allows those involved in a Complaint to discuss the issues or incident in question and to come up with mutually agreed solutions. The Complainant and the Respondent may also seek the assistance of a Mediator or another neutral third party at any stage. Unless permitted by ANDRA in writing, legal representatives are not able to negotiate on behalf of the Complainant and/ or Respondent or attend the mediation.

Mediation may occur either before or after an investigation of a Complaint. If a Complainant wishes to try and resolve the Complaint with the assistance of a Mediator, the MPIO will, where he/ she determines it to be appropriate and in consultation with the Complainant, arrange for a Mediator to mediate the Complaint.

#### 4. Tribunals

An Investigatory Tribunal may be formed to hear a formal Complaint that has been referred by the Chief Executive Officer or MPIO, or an alleged breach of this Policy.

More information on Tribunals can be found in the ANDRA Rule Book

## 8. Forms of Discipline

If a Relevant Person breaches this Policy, one or more forms of discipline may be imposed. These may include but not be limited to a direction to make a verbal or written apology, paying a fine, being suspended or excluded or having a person's appointment or employment terminated. The form of discipline will depend upon a range of factors, including the nature and seriousness of the breach, contrition and relevant prior behaviour of the Relevant Person.

## 9. Other links and References

The following attachments form part of this Policy:

- PART B - ANDRA Child Protection Requirements.