



PAPUA NEW GUINEA SWIMMING INC.

MEMBER WELFARE POLICY

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PNGSI MEMBER WELFARE POLICY

1. Core Values

Papua New Guinea Swimming Inc.'s strategic plan states our vision as *“to become the number one sport achieving excellence”*

The plan represents PNGSI's strong commitment to its individual members to provide an environment characterised by fairness, safety and respect. This Policy reflects this commitment.

2. Purpose of this Policy

This Policy aims to ensure that:

- our core values, good reputation and positive behaviours and attitudes are maintained, so as to provide a safe, fair and inclusive environment for everyone associated with our sport;
- every person involved in our sport is treated with respect and dignity and is safe and protected from bullying, harassment, discrimination or abuse, and
- everyone involved in our sport is aware of his or her legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them

Any form of Bullying, Harassment or Discrimination is actionable if the victim feels distress or concern as a result of the aggressive and upsetting behaviour.

The “Member Welfare Policy General Information & Procedures” for this Policy provide the procedures that support our commitment to preventing Bullying, Discrimination and Harassment and other forms of inappropriate behaviour in our sport.

This Policy is supplemented by PNGSI's Child Welfare Policy, which provides specific guidelines and procedures relating to the welfare and wellbeing of Children.

The Executive of PNGSI has endorsed this Policy and the “Member Welfare Policy General Information & Procedures”. This Policy and the accompanying procedures may be amended from time to time by resolution of the Executive.

3. Who is bound by this Policy?

This Policy applies to PNGSI and Clubs, Volunteers and Members.

This Policy shall apply to the following:

- a) athletes;
- b) support personnel including but not limited to team/squad managers, physiotherapists, psychologists, masseurs and sport trainers;
- c) coaches and assistant coaches;
- d) technical Officials; and
- e) any other person or organisation that is a member of or affiliated to PNGSI, such as parents, guardians, spectators and sponsors;

This Policy will continue to apply to a person even after they have stopped their membership, association, if disciplinary action has been taken against them under this Policy during that person's membership, or association.

Member Associations are required to adopt and implement this policy and to provide proof to PNGSI of the approval of the policy by the relevant board in accordance with its constitution. Member

Associations must also undertake to ensure that Clubs and Individual Members are bound by this policy and are made aware of this policy and its content.

4. Responsibilities

All individuals, Clubs and organisations bound by this Policy have a role to play in discouraging unacceptable behaviours in the Swimming environment and in promoting a tolerant and enjoyable atmosphere for all persons involved in Swimming.

PNGSI and its Member Clubs and Associations and Affiliates must:

- a) adopt, implement and comply with this Policy and its accompanying procedures;
- b) cause the respective members of Member Associations to agree to be bound by and adhere to this Policy;
- c) publish, distribute and otherwise promote this Policy and the consequences for breaching it;
- d) promote and model appropriate standards of conduct at all times;
- e) promptly deal with complaints made under this Policy in an impartial, sensitive, fair, timely and confidential manner;
- f) apply this Policy consistently without fear or favour;
- g) recognise and enforce any penalty imposed under this Policy irrespective of the party imposing the penalty;
- h) ensure that a copy of this Policy is available or accessible to the persons and organisations to whom this Policy applies;
- i) appoint or have access to appropriately trained people to receive and handle Complaints and allegations and display the names and contact details in a way that is readily accessible; and
- j) monitor and review this policy at least bi-annually

Individuals bound by this policy must:

- a) make themselves aware of the policy and comply with the Codes of Conduct it sets out;
- b) be accountable for their behaviour;
- c) follow the steps outlined in this policy for making a complaint or reporting possible child abuse; and
- d) comply with any decisions and/or disciplinary measures imposed under this Policy

Specifically:

- a) PNGSI, Member Associations, Affiliates, Clubs, including coaches, and technical officials should understand what Bullying, Harassment and Discrimination are, know this Policy and follow and implement the correct Complaints Procedures when any of these behaviours are reported.
- b) All individuals bound by this Policy should be aware that Bullying, Harassment and Discrimination are not tolerated and know what to do if they are a victim of these behaviours, or witness these behaviours.
- c) **Athletes should:**
 - take appropriate steps to discourage and prevent Bullying, Harassment and Discrimination in any form; and
 - advise an appropriate official (coach, manager, or committee member) if any of these behaviours occur, even if they are not the target
- d) **Coaches, technical officials, and other persons in positions of authority should:**
 - be alert to these behaviours and signs of distress and anxiety in athletes and other members;
 - respond to incidents of Bullying, Harassment and Discrimination according to this Policy and Complaints Procedure;
 - model tolerant and accepting behaviours; and
 - make it known that Bullying, Harassment and Discrimination are not acceptable, no matter what the excuse

e) **Clubs should:**

- make recognition and adherence to this Policy and Complaints Procedure a condition of membership of the Club;
- disseminate information on this Policy widely to make the Policy known and available to all members;
- respond to incidents of Bullying, Harassment and Discrimination according to this Policy and Complaints Procedure;
- act in the best interests of their members and their safety and welfare; and
- foster an environment of tolerance, friendship and enjoyment, even at elite levels

5. What is a breach of this Policy?

It is a breach of this Policy for any person or organisation, to which this Policy applies, to do anything contrary to this Policy, including but not limited to:

- a) breaching the Codes of Conduct;
- b) bringing the sport into disrepute, or acting in a manner likely to bring the sport into disrepute;
- c) discriminating against, harassing or bullying (including cyber-bullying) any person;
- d) victimising another person for reporting a complaint;
- e) failing to follow PNGSI policies and procedures for the protection, safety and welfare of children;
- f) engaging in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;
- g) disclosing to any unauthorised person or organisation any information in relation to a complaint under this Policy of a private, confidential or privileged nature;
- h) making a complaint under this Policy that they knew to be untrue, vexatious, malicious or improper;
- i) failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- j) failing to comply with a direction given to the individual or organisation during the disciplinary process under this policy

6. Complaints Procedures

Complaints Procedures are set out in the “Member Welfare Policy General Information and Procedures” and aim to provide a simple, confidential and trustworthy process for handling complaints based on the principles of Natural Justice. Any person may make a Complaint about an organisation or individual bound by this Policy if they reasonably believe that an organisation or individual bound by this Policy has breached this Policy.

All Complaints will be dealt with promptly, seriously, sensitively and confidentially and in accordance with the Complaints Procedure.

7. Improper Complaints and Victimisation

PNGSI, Member Associations and Affiliates aim to ensure that the complaints procedure has integrity and is free of unfair repercussions or victimisation against the person making the complaint.

All necessary steps will be taken to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint or supporting another person’s complaint.

8. Forms of Discipline

If an organisation or individual bound by this Policy breaches this Policy, one or more forms of discipline may be imposed. These may include but are not limited to making a verbal or written apology, being suspended or de-registered.

More information on the range of disciplinary measures and the factors that will be considered before imposing discipline is contained in the “Member Welfare Policy General Information and Procedures”. In addition members should refer to individual club constitutions for guidance.

9. Dictionary

This Dictionary sets out the meaning of words used in this Policy and in the “Member Welfare Policy General Information and Procedures” without limiting the ordinary and natural meaning of the words. Where a term is not defined it should be given its ordinary and natural meaning.

Abuse means any form of Harassment and includes physical abuse, emotional abuse (including psychological abuse), sexual abuse, and abuse of power that has caused, is causing or is likely to cause harm to a person’s wellbeing or development. Examples of abusive behaviour include but are not limited to bullying, humiliation, verbal abuse and insults.

Athlete means a swimmer, diver, water polo player or synchronised swimmer, whether recreational or competitive and who is an individual Member of SAL, a Member Association or Affiliate.

Appeals Tribunal means the panel created in accordance with the “Member Welfare Policy General Information and Complaints Procedures” to handle an appeal under this Policy.

Bullying means any use of aggression or taunting with the intent to cause harm to the victim. Bullying may be physical or emotional and in serious cases may also be discrimination. Bullying may be done in person, by phone, email, SMS or other means.

Complaint means a complaint made under clause 6 of this Policy.

Complainant means the person making a complaint.

Complaints Procedure means the Complaints Procedure set out in the “Member Welfare Policy General Information and Procedures”.

Discrimination means treating, proposing to treat or requesting, assisting, instructing or encouraging another person to treat a person less favourably than someone else on the basis of an attribute or personal characteristic they have. The relevant attributes or characteristics include but are not limited to the following:

- Age;
- Disability;
- Parental or carer status;
- Physical features;
- Race;
- Religious belief or activity;
- Sex or gender;

Discrimination also includes any other behaviour recognised by Papua New Guinea law as discrimination.

Harassment means any type of behaviour that the other person does not want 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. Harassment includes bullying.

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. 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 and includes public acts of hatred.

Mediator means a person, preferably with relevant skills, qualifications or training in mediation, appointed to mediate a Complaint made under this Policy.

Member means an individual member of Papua New Guinea Swimming Inc. or its affiliates.

Member Association means an organisation that is a member of Papua New Guinea Swimming Inc. or its affiliates.

Member Welfare Policy General Information and Procedures means the supporting information and procedures for the implementation of the Policy, which are contained in a separate document.

Natural Justice (or procedural fairness) requires that:

- Both the complainant and the respondent must know the full details of what is being said against them;
- Both the complainant and the respondent must be given full opportunity to respond to the allegations and raise any matters in their own defence;
- All parties need to be heard 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 not outweigh the breach of this Policy or offending behaviour.

Panel Members means members of an Appeals Tribunal or Hearing Tribunal convened under this Policy.

Policy means this Member Welfare Policy.

Respondent means the person who is being complained about.

PNGSI Constitution means the constitution of PNGSI as in force and amended from time to time.

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which could reasonably be anticipated to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, displays 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 under the laws of Papua New Guinea, this can include but is not limited to:

- rape;
- indecent assault;
- sexual assault;
- sexual assault of underage children
- promoting or engaging in acts of child prostitution;
- obtaining benefits from child prostitution possession of child pornography; and
- 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.

Victimisation means subjecting a person or threatening to subject a person to any detrimental or unfair treatment because that person has or intends to pursue their rights to make a complaint under law or under this Policy, or for supporting another person to make a complaint.

10. Other relevant Policies and Position Statements

Further details of other relevant policies and position statements which have the potential to impact on the welfare of all our Members include:

10.1 Child Welfare Policy

The Child Welfare Policy provides guidelines and procedures specifically to protect the safety and welfare of Children.

10.2 Privacy Policy

PNGSI routinely collects personal information about individuals and considers that protecting their personal information is important and PNGSI takes their right to privacy seriously.

10.3 Risk Management Policy

Risk Management identifies the chance of something happening which will impact on an organisation's objectives, measured in terms of consequence and likelihood. PNGSI's Risk Management Policy aims to either reduce, transfer or avoid risks in order to protect its Member.

10.5 Anti-Doping Policy

PNGSI is bound by the World Anti-Doping Authority policies in ensuring Athletes are able to participate in a drug free environment.

10.6 Illicit Drugs in Sport Policy

PNGSI wishes to prevent the use of Illicit Drugs in Sport through increased education for Athletes and the community in relation to the potential harm associated with the use of Illicit Drugs

PNGSI has adopted this Illicit Drugs Policy to:

- (a) address and deter the out-of-competition use of Illicit Drugs by Athletes;
- (b) deter and prevent the use of Illicit Drugs in the community; and
- (c) reduce the harm caused to individuals, families and Member Associations of PNGSI and the broader community as a result of Illicit Drugs

10.7 Social Media Guidelines

PNGSI acknowledges the enormous value of social networking websites, such as Facebook and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.

Social media postings, blogs, status updates and tweets:

- must not use offensive, provocative or hateful language
- must not be misleading, false or injure the reputation of another person
- should respect and maintain the privacy of others
- should promote the sport in a positive way

10.8 Cyber Bullying Policy

Bullying and harassment in all forms is regarded by PNGSI as unacceptable in swimming. The emergence of 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 improper comments.

Messages or statements made using these means of communication are largely instantaneous, and can easily be reverberated by others. Others may also manipulate a person by encouraging a statement to be made on Twitter or Facebook, for example, when the author may be upset or vulnerable. Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. Frustration at officials, team mates, coaches or PNGSI and its Member Associations should never be communicated on social network channels, but rather by way of reasoned and logical verbal and written statements and where appropriate, complaints, to the relevant controlling Club, Member Association or PNGSI.

10.9 Smoke-free environment Policy

The following policy applies to all sporting and social events:

- No smoking shall occur at or near any swimming event involving persons under the age of 18. This policy shall apply to coaches, athletes, trainers, officials and volunteers.
- Social functions shall be smoke free with smoking permitted at designated outdoor smoking areas in accordance with facility rules and government legislation.
- Coaches, officials, volunteers and athletes will refrain from smoking and remain smoke free while involved in an official capacity for any PNGSI, Member Association or Club activity.

10.10 Responsible Service and Consumption of Alcohol Position Statement

PNGSI recommends that Member Associations and their member clubs adhere to strict guidelines regarding the responsible consumption of alcohol. Generally, at endorsed events:

- alcohol should not be available nor be consumed at a swimming event at which children under 18 are participants
- responsible service and consumption of alcohol should apply to any alcohol to be consumed after the competition has concluded
- wherever possible, food, low-alcohol alternatives and water and soft drinks should be available at events where alcohol is served
- a committee member should be present at events where alcohol is served to ensure appropriate practices are followed
- safe transport options should be promoted as part of any event where alcohol is served