MEMBER PROTECTION FRAMEWORK:

ANTI-BULLYING AND HARASSMENT POLICY

FOOTBALL AUSTRALIA

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1. INTRODUCTION

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

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

2. SCOPE AND APPLICATION

2.1 Scope

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

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

This Policy forms part of Football Australia's Member Protection Framework and the Football Australia Statutes. It seeks to ensure that everyone involved in football is aware of their rights and responsibilities and provides the minimum standards expected with respect to prohibiting and preventing Abuse, Bullying, Harassment and Victimisation in football. It provides that all Members should be able to participate in football without fear of any adverse conduct or behaviour. Accordingly, the Football Entities have a zero-tolerance policy towards all forms of Abuse. Bullying and Harassment.

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

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

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

Football Entities are responsible for:

(a) applying this Policy in relation to their Members; and

(b) ensuring that their Employees and volunteers agree to be bound by the Member Protection Framework.

Football Entities must also publish, distribute and promote this Policy to their Members.

2.3 When does this Anti-Bullying and Harassment Policy apply?

Members and Football Entities must comply with this Policy at all times whilst they are a Member or Football Entity (as applicable) and engaging in interactions that are directly linked to Football Activities, including:

(a) in relation to any dealings they have with Members in their capacity as a Member or Football Entity; and

(b) in relation to their membership or standing as a Member or Football Entity in general.

The following is not within the scope of this Policy:

(c) where an interaction (including social media interactions) occurs involving one or more Members, and the only link or connection between the interaction and football is the fact that one or more individuals are Members (e.g. where two Members get into a verbal argument at a shopping centre, or two Members sending abusive social media messages to each other that have no direct link to football);

(d) where Prohibited Conduct occurs in contravention of this Policy, any subsequent conduct, or interaction(s) that, whilst related to the original Prohibited Conduct, no longer directly relates to football (even where such conduct or interaction(s) would otherwise be Prohibited Conduct) (e.g. where a Member allegedly breaches this Policy by physically assaulting another Member at football training, but then the personal grievance(s) between those two individuals spills into issues not directly related to football, such as social media abuse).

2.4 Supplementary Policies

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

2.5 Status

This Policy has been endorsed by the Football Australia Board and forms part of the Football Australia Statutes. It replaces the processes contained in Football Australia's repealed Anti-Bullying and Harassment Policy (2020) and applies with immediate effect on and from 6 December 2023.

3. COMMITMENT TO PREVENTING BULLYING AND HARASSMENT IN FOOTBALL

Football Australia, its affiliated Football Entities and all Members are committed to football being a sport where all Members are free and able to enjoy participating in a safe, inclusive

and supportive environment. This includes a zero-tolerance policy for any form of Abuse, Bullying or Harassment.

As part of this commitment, Football Entities will develop and maintain a speak up culture, where Members are able to report any complaints regarding this type of conduct or behaviour and be free from any Victimisation or other adverse consequences as a result of making such a complaint. All Members are entitled to be treated fairly and equally, and with dignity and respect at all times.

4. PROHIBITED CONDUCT

(a) A Member or Football Entity commits a breach of this Policy when they, either alone or in conjunction with another or others, either in-person, online or via any other means of communication, engage in any of the following conduct against a Member in the circumstances outlined in section 2.3:Abuse;

(b) Bullying;

(c) Harassment; or

(d) Victimisation.

5. DEFINING PROHIBITED CONDUCT

5.1 What is Abuse?

Abuse is any type of behaviour that has caused, is causing, or is likely to cause harm to a person's wellbeing, whether in person or online. Abuse can be manifest in a variety of forms, some of which overlap with other types of Prohibited Conduct, including:

(a) physical abuse and assault including hitting, slapping, punching, kicking, destroying property, deprivation of food, water or rest, forced feeding, unreasonable physical restraint, spitting at another person, biting or otherwise putting a person at unreasonable risk of physical harm, except where any physical contact is consistent with the rules of football and accepted and reasonable behaviour within the Football Activity when undertaking that Football Activity;

(b) sexual abuse including rape and assault, using sexually degrading insults (either in-person or online), forced sex or sexual acts, deliberately causing pain during sex, unwanted touching or exposure to pornography, sexual jokes (either in-person or online), using sex to coerce compliance; or

(c) emotional/psychological abuse (either in-person or online) such as repeated and intentional embarrassment in public, unreasonably preventing or excluding someone from participating in sport activities, stalking, humiliation, or intimidation, repeated or severe insults, name calling, criticism, swearing and humiliation, repeated attacks on someone's intelligence, homophobic, biphobic and transphobic comments, body shaming, or aggressive yelling.

5.2 What is Bullying?

Bullying is behaviour that involves the repeated and intentional using of words or actions, or the inappropriate use of power, against someone or a group of people to cause distress and risk to their wellbeing, whether in-person or online

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

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

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

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

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

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

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

Bullying does not include legitimate and reasonable:

(f) management action;

(g) management processes;

(h) disciplinary action; or

(i) allocation of activities in compliance with agreed systems.

5.3 What is Harassment?

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

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

(a) telling insulting jokes and/or making derogatory comments about racial groups or people of diverse genders and sexualities (either in-person or online);

(b) sending explicit or sexually suggestive emails, text messages or other electronic communications;

(c) displaying racially offensive or pornographic images or screen savers;

(d) making derogatory comments or taunts about someone's race, disability, sexual orientation, gender identity or gender expression (either in-person or online);

(e) asking intrusive questions about someone's personal life, including their sex life (either in-person or online);

(f) intentionally stalking someone (either in-person or online); or

(g) intentionally disclosing (either in-person or online) the transgender identity or sexual orientation of someone without consent

(h) unwelcome touching;

(i) suggestive comments or jokes (either in-person or online);

(j) showing or sharing sexually explicit images or pictures (either in-person or online);

(k) unwanted invitations to go out on dates (either in-person or online);

(l) requests for sexual intercourse (either in-person or online);

(m) intrusive questions about a person's private life or body (either in-person or online);

(n) unnecessary familiarity, such as deliberately brushing up against a person;

(o) insults or taunts based on sex or gender identity (either in-person or online);

(p) sexually explicit physical contact;

(q) sending sexually explicit or suggestive emails, texts, or other electronic/social media messages; and

displaying pornographic images or screen savers.

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

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

(s) Sexual Harassment

5.4 What is Victimisation?

Victimisation means subjecting a person, or threatening to subject a person, either in-person or online, to any unfair treatment because the person has made, or intends to pursue their right to make, a complaint, report or lawful disclosure, including under applicable legislation or this Policy, or for supporting another person to take such action. This may include:

(a) dismissal of a person or disadvantage to their involvement in football because they have or intend to make a complaint;

(b) exclusion of a person from a Football Activity because they were a witness to Prohibited Conduct; or

(c) failure to select an individual on merit because they have supported another person in lodging a complaint.

5.5 Signs and indicators of Prohibited Conduct

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

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

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

(b) avoiding social situations or activities;

(c) alienated from certain social or shared activities;

(d) unexplained injuries;

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

(f) repeatedly 'loses' money or possession;

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

(h) sudden changes in behaviour;

(i) difficulty concentrating or completing tasks;

(j) sudden changes in physical abilities or performance;

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

(l) developing an eating problem;

(m) withdrawn or isolated;

(n) difficulty sleeping or sleep disorders;

(o) anxiety; and

(p) depression.

6. REPORTING PROHIBITED CONDUCT

6.1 Reporting Prohibited Conduct

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

Any person who reasonably believes that they may have witnessed or been the victim of Prohibited Conduct that involves a Member should:

(a) report it to a Football Entity in accordance with Football Australia's National Complaints Procedure, which is available on the Football Australia website at Football Australia Integrity Framework | Football Australia; and

(b) where the Prohibited Conduct may constitute a criminal offence, report it to the relevant state/territory law enforcement agency.

6.2 Support for Members involved Bullying and/or Harassment

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

Importantly, no person is to be treated unfairly or Victimised for reporting or complaining about Prohibited Conduct. Football Entities may take action in accordance with this Policy and the National Code of Conduct and Ethics against a Member who engages in unfair treatment or Victimisation of any person involved in or affected by an incident involving Prohibited Conduct.

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

7. EDUCATION AND ADDITIONAL RESOURCES

7.1 Education

(a) To prevent breaches of this Policy, build positive behaviours in sport and protect participants from threats, Football Australia is committed to developing and implementing education resources and opportunities aimed at addressing the content and subject matter of this Policy. Further information regarding these resources and opportunities will be made available at https://www.footballaustralia.com.au/member-protection-framework.

(b) Further to section 7.1(a), Football Entities may, from time to time, direct certain Members to undertake education, which will be relevant and proportionate to their level of participation in football and the associated integrity risks.

7.2 Additional Resources

The following resources may support Members and Football Entities in apply this Policy:

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

(b) Sport Integrity Australia - https://www.sportintegrity.gov.au/resources

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

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

8. DICTIONARY AND INTERPRETATION

8.1 Dictionary

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

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

In this Policy:

Abuse has the meaning given in section 5.1.

Bullying or ***Bully*** has the meaning given in section 5.2.

Employee means a person employed by a Football Entity.

Football Activity or ***Football Activities*** means any football-related program, service, event or activity that is delivered or authorised by a Football Entity. For the avoidance of doubt, this includes all football matches and training sessions.

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

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

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

Harassment or ***Harass*** has the meaning given in section 5.3.

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

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

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

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

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

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

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

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

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

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

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

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

National Complaints Procedure means the policy adopted by Football Australia for the handling and resolution of allegations regarding Prohibited Conduct.

National Leagues means:

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

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

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

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

Policy means this Anti-Bullying and Harassment Policy.

Sexual Harassment has the meaning given in section 5.3.

Victimisation has the meaning given in section 5.4.

8.2 Interpretation

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

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

(b) the singular includes the plural and conversely;

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

(d) headings are for convenience only;

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

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