1. MEMBER PROTECTION REGULATION
   1. Purpose
      1. SLSNZ is committed to providing the safest possible environment for all its Members to participate and compete in Surf Life Saving.
      2. SLSNZ and Clubs have an obligation to protect Members from physical and psychological harm when engaged in Surf Lifesaving activities. All practicable steps must be taken to keep individuals safe.
      3. This Regulation aims to protect all Members, including Minors, from Harassment, Discrimination, Child Abuse and other forms of inappropriate behaviour from those people who are bound by this Regulation.
      4. This Regulation also sets out the SLSNZ Code of Conduct (**attached** at **Appendix 1)** that applies to all Members, persons and organisations bound by this Regulation.
   2. SLSNZ Member Protection Guidelines
      1. All Members, persons and organisations bound by this Regulation are strongly advised to follow the SLSNZ Member Protection Guidelines that give best practice guidance to Clubs and Members. This Guideline will be reviewed and updated regularly and approved by the Board.
   3. Commencement Date
      1. This Membership Protection Regulation shall take effect and come into force on 15 December 2013.
   4. Misconduct
      1. No Member, or person or organisation bound by this Regulation, shall engage in:
         1. Harassment;
         2. Discrimination; and/or
         3. Child Abuse.
   5. Complaints Procedure - SLSNZ
      1. Subject to the Constitution, any individual or organisation that considers a Member, or any other person bound by this Regulation, has engaged in Harassment, Discrimination and/or Child Abuse or breached the Code of Conduct may make a complaint to the Board who may, in its sole discretion, refer the complaint to a Judiciary Committee in accordance with the Constitution or the relevant authorities.
   6. Complaints Procedure – Clubs
      1. If a Club Committee considers any member of a Club has engaged in Harassment, Discrimination and/or Child Abuse, or breached the Code of Conduct, the Club Committee may refer the matter for investigation and/or determination in accordance with that Club’s constitution and/or any applicable rules.
   7. Definitions
      1. The following words and phrases used in this Regulation shall mean as follows:

“Abuse” means 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.

“Child” means a person who is under the age of 18 years.

“Child Abuse” involves conduct which puts a child at risk of harm (usually by adults, sometimes by other children) and often by those that the child knows and trusts. Child Abuse can take many forms, including verbal and physical actions and by failing to provide basic care. Child abuse may include:

* + - 1. Physical abuse by hurting a child or a child’s development, or which causes any intentional non-accidental injury of a child (e.g. hitting, shaking, or other physical harm; giving a child alcohol or drugs; or training that exceeds a child’s development or maturity).
      2. 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).
      3. Emotional abuse by ill-treating a child and damaging a child’s self-worth (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).
      4. 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).

“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 this Regulation include:

* + - 1. sex, which includes pregnancy and childbirth and breastfeeding;
      2. marital status which means being:

single; or

married, in a civil union, or in a de facto relationship; or

the surviving spouse of a marriage or the surviving partner of a civil union or de facto relationship; or

separated from a spouse or civil union partner; or

a party to a marriage or civil union that is now dissolved, or to a de facto relationship that is now ended;

* + - 1. religious belief;
      2. ethical belief, which means the lack of a religious belief, whether in respect of a particular religion or religions or all religions;
      3. colour;
      4. race;
      5. ethnic or national origins, which includes nationality or citizenship;
      6. disability, (subject to section 49(3) of the Human Rights Act 1993 which states it is not discrimination to exclude any person from a competitive sporting event or activity if that person’s disability is such that there would be a risk of harm to that person or to others if that person were to partake in that competitive sporting event or activity and it is not reasonable to take that risk), which means:

physical disability or impairment;

physical illness;

psychiatric illness;

intellectual or psychological disability or impairment;

any other loss or abnormality of psychological, physiological, or anatomical structure or function;

reliance on a guide dog, wheelchair, or other remedial means;

* + - 1. the presence in the body of organisms capable of causing illness;
      2. age;
      3. political opinion, which includes the lack of a particular political opinion or any political opinion;
      4. employment status which means:

being employed; or

being a recipient of a benefit or an entitlement under the applicable legislation;

* + - 1. family status, which means:

having the responsibility for part-time care or full-time care of children or other dependants; or

having no responsibility for the care of children or other dependants; or

being married to, or being in a civil union or de facto relationship with, a particular person; or

being a relative of a particular person;

* + - 1. sexual orientation and gender identity, which includes being heterosexual, lesbian, gay, bisexual, transexual, questioning, intersex, asexual, takatapui, or other sexualities and gender diverse identities and/or
      2. physical features.

“**Minor**” means a person who is under the age of 18 years.

“**Personnel**” means all staff, employees, contractors, volunteers and support personnel (including coaches, managers, chaperones and officials) of SLSNZ and/or Clubs who agree to be bound by this Regulation.

“Harassment” means any type of comment, conduct or gesture directed towards a person or persons because of a particular characteristic (see those characteristics listed in the “discrimination” definition above) of that person or persons (including the person or persons’ level of empowerment relative to the harasser), which is offensive, abusive, belittling, threatening, humiliating, malicious, or degrading, and includes Sexual Harassment. The behaviour must be unwelcome and the sort of behaviour a reasonable person would recognise as unwelcome. Such behaviour may be verbal, physical, deliberate, or unsolicited. It may be one incident or a series of incidents, and may include:

* + - 1. behaviour which is intimidating, hostile, abusive, and/or an abuse of power and authority;
      2. verbal abuse or threats;
      3. unwelcome remarks, jokes, innuendoes, or taunting about a person’s body, attire, ethnic or national origin, (and any of those characteristics listed in the “discrimination” definition above);
      4. the display of pornographic, racist, or other offensive or derogatory pictures;
      5. practical jokes which cause awkwardness or embarrassment;
      6. unwelcome invitations or requests, whether indirect, or explicit, or intimidating;
      7. leering or other gestures;
      8. condescension or patronisation which undermines self-respect;
      9. unnecessary physical contact such as touching, patting, pinching, or punching; and/or
      10. physical assault.

“Sexual Harassment” means behaviour that has a sexual element, that is unwelcome, has a detrimental effect, and that 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. Sexual harassment may include:

* + - 1. unwanted sexual attention of a persistent or abrasive nature made by a person who knows, or ought to reasonably know, that such attention is unwarranted and/or inappropriate;
      2. a sexual solicitation or advance made by a person who is in a position to confer any benefit on, or deny any benefit to, the recipient of the sexual advance;
      3. a reprisal, or a threat of implied threat of reprisal, for rejecting a sexual solicitation or advance; and/or
      4. a course of abusive and unwelcome conduct or comment made on the basis of sex or sexual orientation when it has the purpose or effect of creating an intimidating, hostile, or offensive environment which the person works.

Sexual harassment is not appropriate comments; behaviour based on mutual attraction; friendly banter which is mutually acceptable; or constructive coaching and feedback.

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| APPENDIX 1 – CODE OF CONDUCT | |  | |
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### **Regulation 5**

**GENERAL**

All Members, persons and organisations bound by this Regulation must meet the following requirements in regard to their conduct during any activity held or sanctioned by SLSNZ and in any role they hold within SLSNZ:

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate, and honest in all dealings with others.
3. Be professional in, and accept responsibility for, their actions.
4. Make a commitment to providing quality service.
5. Be aware of, and adhere to the Constitution, Regulations, policies and procedures of SLSNZ as well as the rules of Surf Life Saving, including national and international guidelines which govern Surf Life Saving.
6. Ensure that any physical contact with others is appropriate to the situation and necessary for the particular Surf Life Saving activity.
7. Refrain from any form of Harassment, Discrimination, and/or Child Abuse of others.
8. Refrain from any behaviour that may bring SLSNZ into disrepute.
9. Provide a safe environment for the conduct of Surf Life Saving activities.
10. Show concern and caution towards others.
11. Be a positive role model.
12. Understand the repercussions if they breach, or are aware of any breaches of, the Regulations or this Code of Conduct.
13. Report any alleged breaches of the Regulations or this Code of Conduct in accordance with the Constitution and the Regulations.

**SPECIFIC - COACHES**

In addition to the general requirements all **coaches** will also:

1. Be responsible for matters concerning the coaching, training and development of surf lifesavers.
2. Maintain a ‘duty of care’ towards others and be accountable for matters relating to training and competition.
3. Ensure competitors understand and abide by the principles of fair play.
4. Maintain or improve their current accreditation.
5. Seek continual improvement through performance appraisal and on-going coach education.
6. Keep all relevant qualifications up to date.

**SPECIFIC – MANAGERS / CHAPERONES**

In addition to the general requirements all **managers/chaperones** will also:

1. Be responsible for the overall welfare and well-being of team members and officials.
2. Maintain a ‘duty of care’ towards team members and be accountable for matters relating to management of any squad or team.
3. Foster a collaborative approach to the management of any squad or team.

**SPECIFIC – OFFICIALS**

In addition to the general requirements all **officials** will also:

1. Conduct themselves in a professional manner relating to language, temper and punctuality.

2. Resolve conflicts fairly and promptly through established procedures in accordance with the Constitution and the Regulations.

1. Maintain strict impartiality.
2. Assist others to develop good attitudes, skills and knowledge relating to Surf Life Saving.
3. Promote and assist in the education of other coaches.

**SPECIFIC – PARTICIPANTS**

In addition to the general requirements all **participants** will also:

1. Not be aggressive.
2. Respect the talent, potential and development of fellow participants and competitors.
3. Care for and respect any equipment provided to them.
4. Be frank and honest with their coach concerning illness and injury and their ability to train fully.
5. At all times avoid intimate relationships with any coach, manager, chaperone or official.
6. Conduct themselves in a professional manner relating to language, temper and punctuality.
7. Cooperate with coaches and staff in the development of programs to adequately prepare them for competition at the highest level.