



MOUNTAIN BIKE AUSTRALIA

Mountain Bike Australia Limited
(MTBA Limited)
ACN616 027 153

Child Safe Sport Framework
Code of Behaviour

Distribution

MTBA Board

MTBA Chief Executive Officer

MTBA Staff

All MTBA Members & Affiliates (available via MTBA website)

Authorised by the CEO 13 May 2019

Controlled document: MTBA_MAN0006A/1

Review History

Version	Date Reviewed	Reviewed By	Date Authorised	Content Reviewed/ Purpose
1		COO	13 May 2019	Code created

1. Purpose

Mountain Bike Australia (MTBA) is committed to providing a safe, fair and inclusive environment for everyone involved in the organisation and in the sport.

This includes providing everyone involved in the organisation and in the sport including children and young people with a positive and enriching sporting environment that promotes their participation and development in the sport and ensures that they feel and are safe. Accordingly, MTBA wish to ensure that its personnel strive for the highest possible standards with respect to safeguarding children and young people from abuse. To that end these codes have been developed to identify and prevent behaviour that may be harmful to the children and young people in the sport.

Part of this commitment to children and young people in the sport means that we are inclusive of those from a range of different backgrounds. This includes but is not limited to Aboriginal and Torres Strait Islander children and young people, children and young people with a disability, LGBTI children and young people and children and young people from culturally and linguistically diverse backgrounds.

Developed to protect children and young people engaged in mountain biking, these guidelines have been formally approved and endorsed by our Board of Directors.

As part of your commitment to observing these codes of behaviour Board, staff, officials, volunteers and MTBA accredited coaches, instructors and presenters will be required to sign the appropriate declaration.

MTBA consider a failure to observe these guidelines as misconduct, and will take appropriate disciplinary action. In addition to any internal disciplinary proceedings, MTBA report to the police all instances in which a breach of the law has or may have occurred.

There may be exceptional situations where these guidelines do not apply, for example, in an emergency situation. However, it is crucial that, where possible, management authorisation is sought prior to taking action that contravenes these guidelines or that management is advised as soon possible after any incident in which these guidelines are breached.

2. Who is bound by this policy?

All persons involved in MTBA and in the sport including, from the Board, senior managers and staff to casual staff, officials and volunteers and persons with an MTBA issued accreditation, are required to observe these codes of behaviour.

2.1. Responsibilities

Position	Responsibility
Chief Executive Officer / Chief Operating Officer	<ul style="list-style-type: none"> • Implement policy and procedures across the organisation. • Ensure personnel have access to and understand this policy and related procedures. • Ensure all staff has access to support and advice to understand and implement procedures. • Review and update this document and supporting resources in consultation with relevant stakeholders. • Support the coordination of the Member Protection Policy and implementation. • Provide training and advice in the application of procedures.
Employees	<ul style="list-style-type: none"> • Ensure policy is followed and implemented.

Employees / Volunteers	<ul style="list-style-type: none"> • Compliance with policy and procedures.
MTBA Accredited Coaches/Instructors	<ul style="list-style-type: none"> • Compliance with policy and procedures.

2.2. Key Requirements

MTBA require certain standards of behaviour from **all persons** involved in the organisation and in the sport.

The codes of behaviour are underpinned by the following core values:

- To act within the rules and spirit of the sport.
- To display respect and courtesy towards everyone involved in the sport and prevent discrimination and harassment.
- To prioritise the safety and well-being of children and young people involved in the sport.
- To report any behaviour which is breach of this code to help prevent the abuse of children and young people in the sport.
- To encourage and support opportunities for participation in all aspects of the sport.

3. **Codes of Behaviour**

The following codes define acceptable and unacceptable behaviours from people involved in the organisation and the sport.

3.1. Sexual misconduct

Under no circumstances is any form of 'sexual behaviour' to occur between, with, or in the presence of, children or young people. Engaging in sexual behaviour while participating in the sport is prohibited even if the young persons involved may be above the legal age of consent.

'Sexual behaviour' needs to be interpreted widely, to encompass the entire range of actions that would reasonably be considered to be sexual in nature, including but not limited to:

- 'contact behaviour', such as sexual intercourse, kissing, fondling, sexual penetration or exploiting a child through prostitution
- 'non-contact behaviour', such as flirting, sexual innuendo, inappropriate text messaging, inappropriate photography or exposure to pornography or nudity.

3.2. Positive guidance (discipline)

MTBA strive to ensure that children and young people participating in the sport are aware of the acceptable limits of their behaviour so that we can provide a positive experience for all participants. However, there are times when personnel may be required to use appropriate techniques and behaviour management strategies to ensure:

- an effective and positive environment
- the safety and/or wellbeing of children, young people or personnel participating in the sport.

MTBA require **all persons** to use strategies that are fair, respectful and appropriate to the developmental stage of the children or young people involved. The child or young person needs to be provided with clear directions and given an opportunity to redirect their misbehaviour in a positive manner.

3.3. Adhering to professional role boundaries

All persons should not, of their own volition or at the request of a service user, act outside the confines of their duties (as specified in their position description) when involved in the sport.

Directors, staff, officials and volunteers:

- must not provide unauthorised transportation
- must not engage in activities with children or young people who are clients/members of the sport outside events, programs and activities authorised by our organisation
- must not provide any form of support unrelated to the sport, to a child or young person or their family
- must not seek contact with children or young people (or former participants) outside of the sport unless their role with the organisation requires this in line with duties of the position
- must not accept an invitation to attend any private social function at the request of a child or young person who has participated, or is participating, in the sport unless requested via their family.

MTBA accredited coaches, contract coaching staff, coach/skills instructor course presenters:

- must not engage in activities with children or young people who are clients/members of the sport outside events, programs and activities authorised by MTBA unless full consent is obtained from the child's parent or guardian
- must not contact children or young people for the purposes of soliciting business for any private coaching, skills instructor, or any other private service without the explicit consent of the child's parent or guardian.

If **any persons** become aware of a situation in which a child or young person requires assistance that is beyond the confines of that person's role, or beyond the sporting environment, they should undertake any or all of the following at the earliest opportunity:

- refer the matter to an appropriate support agency
- refer the child or young person to an appropriate support agency
- contact the child or young person's parent or guardian
- seek advice from management.

3.4. Uniform

All persons should wear their uniform only while involved in delivering a service as authorised or required by MTBA, such as when representing the organisation at designated functions, to and from work, or delivery of events, programs, courses, workshops, clinics and camps on behalf of the organisation. The organisation's uniform should not be worn when the person is not undertaking an authorised and approved organisation activity.

3.5. Use of language and tone of voice

Language and tone of voice used in the presence of children and young people should:

- provide clear direction, boost their confidence, encourage or affirm them
- not be harmful to children – in this respect, avoid language that is:
 - discriminatory, racist or sexist
 - derogatory, belittling or negative, for example, by calling a child a ‘loser’ or telling them they are ‘too fat’
 - intended to threaten or frighten
 - profane or sexual.

3.6. Supervision

All persons are responsible for supervising the children and young people engaged in the sport to ensure those participants:

- engage positively with our sport
- behave appropriately toward one another, for example, are respectful to fellow participants, officials and volunteers
- are in a safe environment and are protected from external threats.

All persons are required to avoid one-to-one unsupervised situations with children and young people to whom we provide services, and (where possible) to conduct all activities and/or discussions with service recipients in view of other personnel.

3.7. Use of electronic or online communications

All electronic communication between **all persons involved** and the children and young people to whom we provide service:

- Must be accordance with duties of their position and with permission of the Chief Executive Officer.
- Wherever possible, email and text messages sent to a child or young person should be copied to their parent or guardian.
- Where a parent is not included in the communication:
 - Restrict such communication to issues directly associated with delivering the sport, such as advising that a scheduled event is cancelled.
 - Limit the personal or social content in such communications to what is required to convey the service-related message in a polite, friendly manner. In particular, do not communicate anything that a reasonable observer could view as being of a sexual nature.

- Do not use such communication to promote unauthorised 'social' activity or to arrange unauthorised contact.
- Do not request a child or young person to keep a communication a secret from their parents.
- Do not communicate with children or young people using Internet chat rooms or similar forums such as social networking sites, game sites or instant messaging unless required to in accordance with an MTBA authorised activity, program or camp. For example, communicating with athletes while on camp via a closed Facebook group.

All persons are required to ensure appropriate monitoring of children and young people when they use MTBA's electronic communication equipment to ensure that they do not inadvertently place themselves at risk of abuse or exploitation via social networking sites, gaming sites or through web searches, or inappropriate email communication.

3.8. Giving gifts

Giving of gifts by **all persons** to children and young people to whom we provide a service is subject to:

- The gift being directly related to the child or young persons participation in the sport
- obtaining prior authorisation from the Chief Executive Officer
- parents or other responsible adults being made aware of any gift given.

3.9. Photographs of children and young people

Under these guidelines:

- children and young people to whom we deliver a service are to be photographed while involved in our sport only if:
 - our Chief Executive Officer has granted prior and specific approval
 - the context is directly related to participation in our sport
 - the child is appropriately dressed and posed
 - the image is taken in the presence of other personnel.
 - Images are not to be distributed (including as an attachment to an email) to anyone outside MTBA other than the child photographed or their parent, without management knowledge and approval.
 - Images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others, for example:
 - if in hard-copy form, in a locked drawer or cabinet
 - if in electronic form, in a 'password protected' folder.
 - Images (digital or hard copy) are to be destroyed or deleted as soon as they are no longer required.
 - Images are not to be exhibited on MTBA's website or in publications (annual report) without parental knowledge and approval (through a signed image consent form), or such images must be presented in a manner that de-identifies the child or young person. Any caption or accompanying text may need to be checked so that it does not identify a child or young person if such
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identification is potentially detrimental.

3.10. Physical contact with children and young people

Any physical contact with children and young people must be appropriate to the delivery of the sport such as 'when fitting sporting equipment' or during skill development clinics and based on the needs of the child or young person (such as to assist or comfort a distressed young person) rather than on the needs of our personnel.

Under no circumstances should any of our personnel have contact with children or young people participating in our sport that:

- involves touching:
 - of genitals
 - of buttocks
 - of the breast area
 - that is other than as part of delivering medical or allied health services
- would appear to a reasonable observer to have a sexual connotation
- is intended to cause pain or distress to the child or young person – for example corporal punishment
- is overly physical (for example, wrestling, horseplay, tickling or other roughhousing)
- is unnecessary (for example, assisting with toileting when a child does not require assistance)
- is initiated against the wishes of the child or young person, except if such contact may be necessary to prevent injury to the child/young person or to others, in which case:
 - physical restraint should be a last resort
 - the level of force used must be appropriate to the specific circumstances, and aimed solely at restraining the child or young person to prevent harm to themselves or others
 - the incident must be reported to management as soon as possible.

All persons are required to report to management any physical contact initiated by a child or young person that is sexual and/or inappropriate, for example, acts of physical aggression, as soon as possible, to enable the situation to be managed in the interests of the safety of the child or young person, our personnel and any other participants.

3.11. Overnight stays and sleeping arrangements

Overnight stays are to occur only as part of the delivery of services directly related to the sport and organisation, with the authorisation of the Chief Executive Officer and of the parents/guardians of the children or young people involved. Such approval needs to be prior written approval. Examples of prior written approval could include signed activity agreements or activity enrolment forms signed by the parent or guardian.

Practices and behaviour by all persons involved during an overnight stay must be consistent with the practices and behaviour expected during delivery of the sport at other times.

Standards of conduct that must be observed by all persons involved during an overnight stay include:

- providing children and young people with privacy when bathing and dressing
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- observing appropriate dress standards when children and young people are present – such as no exposure to adult nudity
- not allowing children or young people to be exposed to pornographic material, for example, through movies, television, the Internet or magazines
- not leaving children under the supervision or protection of unauthorised persons such as hotel staff or friends
- not involving sleeping arrangements that may compromise the safety of children and young people such as unsupervised sleeping arrangements, or an adult sleeping in the same bed as a child or young person
- the right of children to contact their parents, or others, if they feel unsafe, uncomfortable or distressed during the stay
- parents expecting that their children can, if they wish, make contact.

3.12. Use of, possession or supply of alcohol or drugs

While on duty, all persons must not:

- use, possess or be under the influence of an illegal drug
- use or be under the influence of alcohol
- be incapacitated by any other legal drug such as prescription or over-the-counter drugs
- supply alcohol or drugs (including tobacco) to children and young people participating in the sport.

Use of legal drugs other than alcohol is permitted, provided such use does not interfere with your ability to care for children involved in the service. See MTBA's Anti-Doping Policy and Employee Handbook.

3.13. Transporting children

Children and young people are to be transported only in circumstances that are directly related to the delivery of the sport – for example, as part of an event or activity authorised by MTBA.

Children are to be transported only with prior authorisation from our Chief Executive Officer and from the child's parent/guardian. Such approval needs to be in writing.

Examples of prior written approval could include signing of an event waiver, activity agreement, enrolment form or national team selection documents.

Gaining approval involves providing information about the proposed journey, including:

- the form of transport proposed, such as private car, taxi, self-drive bus, bus with driver, train, plane or boat
 - the reason for the journey
 - the route to be followed, including any stops or side trips
 - details of anyone who will be present during the journey other than our personnel who are involved
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in delivering our sport.

4. Communication

MTBA communicates these codes of behaviour requirements to all persons with children and young people in the organisation. MTBA will involve all persons in reviews of these codes of behaviour requirements and communicate any significant alterations to these requirements and resources to all personnel.

5. Monitoring and Review

This document will be reviewed annually, in consultation with stakeholders. Some circumstances may trigger an early review, this includes but not limited to legislative changes, organisational changes, incident outcomes and other matters deemed appropriate by the Board and/or Chief Executive Officer. MTBA retain records of each review undertaken. Such records may include minutes of meetings and documentation of changes to policies and procedures that result from a review.

6. Relevant Documents

MTBA_MAN006a - Child Safe Sport Commitment

MTBA_MAN006c – Child Safe Sport Recruitment and Screening Procedures

MTBA P2: Member Protection Policy

MTBA_MAN007- Social Media Policy

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