



Pickleball Australia Association

National Member Protection Policy

Related policies: Child Safeguarding, Competition manipulation and Sports wagering, Conflicts of Interest, Improper Use of Drugs and Medicine, Membership Protection, Participant CoC.

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SUMMARY

Pickleball Australia Association Limited (Pickleball Australia) is committed to ensuring that everyone involved with pickleball is treated with respect and dignity and is protected from abuse, bullying, harassment, sexual misconduct, unlawful discrimination, victimisation, and vilification.

This Policy seeks to ensure that everyone involved in pickleball is aware of their rights and responsibilities. This Policy sets out the standards of behaviour expected of those involved in pickleball and the behaviours that are not acceptable ('Prohibited Conduct').

1. Purpose and Principles

The *National Member Protection Policy* ("policy") emphasises the core values of Pickleball Australia ("our", "us" or "we") and the expectations placed on all members to ensure the establishment and maintenance of a safe, fair, and



inclusive environment for everyone associated with our sport. Supported by several more detailed policies, this document outlines expected standards of behaviour for all individuals and seeks to ensure that everyone involved in pickleball is aware of their key rights (legal and ethical) and responsibilities.

Pickleball Australia is committed to providing:

- a safe, fair and inclusive environment ensuring all individuals involved with pickleball are treated with respect and dignity.
- a confidential, fair, and transparent process when dealing with complaints.

This policy has been endorsed by the Pickleball Australia Board and has been drafted for easy transition to Sport Integrity Australia's National Integrity Framework in the event Pickleball Australia receives National Sporting Organisation recognition.

2. Definitions and interpretation

1.1 Defined terms

In this Policy the following words have the corresponding meaning:

Activity means a pickleball contest, match, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition, sanctioned or organised by Pickleball Australia or a Relevant Organisation.

Abuse means any type of abuse (including physical, emotional, psychological, sexual, and inappropriate use of power) that has caused, is causing or is likely to cause harm to a person's wellbeing, whether in person or as the result of a publication viewable by any other person by any means.

Bullying means a person or group of people repeatedly and intentionally using words or actions, or the inappropriate use of power, against someone or a group of people to cause distress and risk to their wellbeing.

Contractor means any person or organisation engaged to provide services for or on behalf of Pickleball Australia or a Relevant organisation, and includes agents, advisers, and subcontractors of Pickleball Australia or a Relevant organisation and employees, officers, volunteers, and agents of a contractor or subcontractor.

Harassment means any type of behaviour towards a person that they do not want and that is offensive, abusive, belittling or threatening and is reasonably likely to cause harm to the person who is the subject of the harassment.

Member means a member of Pickleball Australia or a Relevant Organisation, including:

- a) Member Organisations, which means each company or incorporated association that is a member of Pickleball Australia including each:
 - i. State, territory, and club Member; and
 - ii. affiliate that is a member of a State and Territory Member.



- b) Individual Members, which means individuals who are individuals registered with a Member Organisation

Participant means:

- a) Athletes who are registered with or entitled to participate in a Relevant Organisation or a Pickleball Australia Activity
- c) Coaches appointed to train an Athlete or Team in a Relevant Organisation or Pickleball Australia Activity
- d) Administrators who have a role in the administration or operation of a Relevant Organisation or Pickleball Australia, including owners, directors, committee members or other persons
- e) Officials including referees, umpires, technical officials, or other officials appointed by a Relevant Organisation, PPA or any league, competition, series, Club or Team sanctioned by Pickleball Australia
- f) Support Personnel who are appointed in a professional or voluntary capacity by a Relevant Organisation, Pickleball Australia or any league, competition, series, Club or Team sanctioned by Pickleball Australia including sports science sports medicine personnel, team managers, agents, selectors, and team staff members.

Policy means this Member Protection Policy including any schedules and annexures.

Prohibited Conduct means the conduct proscribed at clause 3 of this Policy.

Relevant Organisation means any of the following organisations:

- a) Pickleball Australia
- b) Member Organisation – see ‘Member’.
- c) Sport Organisation, which means and includes:
 - I. Member Organisations - see ‘Member’;
 - II. Clubs, which means any club that enters a Team to participate in an Activity; and
 - III. Authorised Providers, which means any non-Member organisations authorised to conduct Activities sanctioned by Pickleball Australia or a Member Organisation;
- d) Team, which means a collection or squad of athletes who compete and/or train in pickleball and/or the Activity; and
- e) Any other organisation who has agreed to be bound by this Policy.

Relevant Person means any of the following persons:

- a) Individual Member – see ‘Member’;
- b) Participant;
- c) Employee;
- d) Contractor;
- e) Volunteer, which means any person engaged by Pickleball Australia or a Relevant Organisation in any capacity who is not otherwise an Employee or Contractor, including directors and office holders, coaches, officials, administrators and team and



support personnel; and

- f) Any other individual who has agreed to be bound by this Policy.

Sexual Misconduct means:

- (a) **Sexual Harassment**, which is any unwanted or unwelcome sexual behaviour where a reasonable person would anticipate the possibility that the person being harassed would feel offended, humiliated, or intimidated; and
- (b) **Sexual Offences**, which include any criminal offence involving sexual activity or actions of indecency.

Unlawful Discrimination includes:

- (a) **Direct Discrimination**, when a person or group of people is treated less favourably than another person or group, because of a personal characteristic; and
- (b) **Indirect Discrimination**, when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share, where such personal characteristic is protected by applicable anti-discrimination legislation.

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

Vilification means a public act, conduct or behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of, a person or group of people because of a particular characteristic they hold, as covered by applicable legislation, including their race or religion, or homosexuality, transgender, or HIV/AIDS status.

1.2 Interpretation

Definitions of Abuse, Bullying, Harassment, Sexual Misconduct, Unlawful Discrimination, Victimisation and Vilification must be read in the context of SCHEDULE 1.

3. Jurisdiction

a. Who the Policy applies to?

This Policy applies to:

- (a) Relevant Persons; and
- (b) Relevant Organisations.

b. When the Policy applies

- (a) All Relevant Persons and Relevant Organisations to which this Policy applies must



always comply with this Policy (whilst they are a Relevant Person or Relevant Organisation), including:

- (i) in relation to any dealings, they have with Relevant Organisations or their staff, contractors, and representatives;
 - (ii) when dealing with other Relevant Persons or Relevant Organisations in their capacity as a Relevant Person/Relevant Organisation; and
 - (iii) in relation to their Membership or standing as a Relevant Person or Relevant Organisation in general.
- (b) The following is not within the scope of this Policy:
- (i) where an interaction (including social media interactions) occurs involving one or more Relevant Persons or Relevant Organisations, and the only link or connection between the interaction and pickleball is the fact that one or more individuals are Relevant Persons or Relevant Organisations;¹
 - (ii) 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 pickleball (even where such conduct or interaction(s) would otherwise be Prohibited Conduct)²; and
 - (iii) where the Relevant Organisation determines, in their absolute discretion, that the alleged Prohibited Conduct would be more appropriately dealt with under a different Pickleball Australia policy, code, rules or regulations.

4. Codes of Behaviour

Pickleball Australia seeks to provide a safe, fair, and inclusive environment for everyone involved in our organisation and in our sport.

To achieve this, we require certain standards of behaviour by players/athletes, coaches, officials, administrators, parents/guardians (of child participants) and spectators.

Our codes of behaviour are underpinned by the following core values.

- To act within the rules and spirit of our sport.
- To display respect and courtesy towards everyone involved in our sport and prevent discrimination and harassment.
- To prioritise the safety and well-being of children and young people involved in our sport.
- To encourage and support opportunities for participation in all aspects of our sport.

¹ Such as two Members of a Relevant Organisation getting into a verbal or physical argument at a shopping centre, or two Members sending abusive social media messages to each other that have no direct link to pickleball.

² Such as where a Member of a Relevant Organisation allegedly breaches this Policy by physically assaulting another Member at a match, but then the personal grievance(s) between those two individuals spills into issues not directly related to pickleball, such as social media abuse or trolling.



5. Position Statements

a. Social Networking

Pickleball Australia acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter.

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

In particular, social media activity including, but not limited to, postings, blogs, status updates, and tweets:

- must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate;
- must not contain material which is inaccurate, misleading or fraudulent;
- must not contain material which is in breach of laws, court orders, undertakings or contracts;
- should respect and maintain the privacy of others; and
- should promote the sport in a positive way.

b. Intimate relationships

Pickleball Australia understands that consensual intimate relationships (including, but not limited to sexual relationships) between coaches or officials and adult athletes may take place legally. However, this policy will help ensure that the expectations of coaches or officials are clear and, to ensure that if an intimate relationship does exist or develop between a coach or official and an adult athlete, that relationship will be managed in an appropriate manner.

- Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. In particular, ensuring they treat athletes in a respectful and fair manner, not engaging in sexual harassment, bullying, favouritism or exploitation.
- We take the position that consensual intimate relationships between coaches or officials and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence, and dependence between the coach or official and the athlete.
- We recommend that if an athlete attempts to initiate an intimate relationship with a coach or official, the coach or official should discourage the athlete's approach and explain to the athlete why such a relationship is not appropriate.



- If a consensual intimate relationship does exist or develop between an adult athlete and a coach or official, the coach or official is expected to ensure that the relationship is appropriate and that it does not compromise impartiality, professional standards or the relationship of trust the coach or official has with the athlete and/or other athletes.
- In assessing the appropriateness of an intimate relationship between a coach or official and an adult athlete, relevant factors include, but are not limited to:
 - the relative age and social maturity of the athlete;
 - any potential vulnerability of the athlete;
 - any financial and/or emotional dependence of the athlete on the coach or official;
 - the ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career;
 - the extent of power imbalance between the athlete and coach or official;
 - the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.
- It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of its appropriateness and accordingly they are encouraged to seek advice from appropriate individuals, such as Pickleball Australia administration, to ensure that they have not involved themselves in inappropriate or unprofessional conduct.
- If it is determined that an intimate relationship between a coach or official and an adult athlete is inappropriate or unprofessional, Pickleball Australia may take disciplinary action against the coach or official up to and including dismissal. Action may also be taken to stop the coaching relationship with the athlete. This could include a transfer, a request for resignation or dismissal from coaching duties.
- If a coach, official, or athlete believes they are being, or have been, harassed they are encouraged to seek information and support from appropriate individuals, such as Pickleball Australia administration.

c. Pregnancy

Pickleball Australia is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our sport. We will not tolerate any discrimination or harassment against pregnant women.

Pickleball Australia will take reasonable care to ensure the continuing safety, health, and wellbeing of pregnant women. We advise pregnant women of the potential risks involved with their continuing participation in sport, and encourage them to obtain medical advice about those risks.

Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.



We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with Pickleball Australia.

We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint (Refer to Complaints, Disputes and Discipline Policy).

The Pickleball Australia Pregnancy Policy is available to all members and can be found on the membership portal in Revolutionise.

d. Gender Identity

Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other than male or female. Some terms used to describe a person's gender identity include trans, transgender and gender diverse.

(a) Gender identity discrimination and harassment

- Federal, state, and territory anti-discrimination laws provide protection from discrimination against people based on their gender identity.
- Pickleball Australia is committed to providing a safe, fair, and inclusive sporting environment all where people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity.
- All persons, regardless of gender identity, are entitled to always be treated fairly and with dignity and respect. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual.
- We expect all people bound by this policy to act with sensitivity when a person is undergoing gender transition/affirmation.
- If any person believes that they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy because of their gender identity, they may make a complaint.

(b) Participation in sport



- Pickleball Australia recognises that excluding people from participating in sporting events and activities because of their gender identity may have significant implications for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport irrespective of the gender with which a person identifies.
- If issues of performance advantage arise, we will consider whether the established discrimination exceptions for participation in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.
- Pickleball Australia is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends to compete at an elite level, we will encourage them to obtain advice about the IOC's criteria which may differ from the position we have taken.
- 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.

e. Intersex status

Federal anti-discrimination law, and some state and territory anti-discrimination laws, provide protection from discrimination against a person based on their intersex status.

Pickleball Australia is committed to providing a safe, fair, and inclusive sporting environment where all people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their intersex status.

f. Responsible service and consumption of alcohol

Pickleball Australia is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that State Members and affiliate clubs follow strict guidelines regarding the service and consumption of alcohol. In general, our policy is that:

- alcohol should not be available or consumed at sporting events involving children and young people under the age of 18;
- alcohol-free social events be provided for young people and families;
- food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
- a staff member with and responsible service of alcohol (RSA) training is present at events we hold or endorse where alcohol is served to ensure appropriate practices in respect of the consumption of alcohol are followed;
- safe transport options be promoted as part of any event we hold or endorse where alcohol is served.

The Pickleball Australia Responsible Service of Alcohol Policy is available to all members and



can be found on the membership portal in Revolutionalise.

g. Smoke-free environment

Pickleball Australia is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse. In general, our policy is that:

- no smoking shall occur at or near sporting events involving children and young people under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers;
- social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas; and
- coaches, officials, trainers, volunteers and players will refrain from smoking while they are involved in an official capacity in our sport, both on and off the field.

6. Prohibited Conduct

A Relevant Person or Relevant Organisation commits a breach this Policy when they, either alone or in conjunction with another or others, engage in any of the following conduct against one or more Relevant Persons or Relevant Organisations, in the circumstances outlined in clause 2:

- (a) Abuse;
- (b) Bullying;
- (c) Harassment;
- (d) Sexual Misconduct;
- (e) Unlawful Discrimination;
- (f) Victimisation; or
- (g) Vilification.

SCHEDULE 1 sets out examples of what may constitute Prohibited Conduct under this Policy.

7. Organisational responsibilities

Relevant Organisations, and particularly Pickleball Australia-affiliated state and territory associations and their affiliates must:

- 7.1. adopt, implement and comply with this policy
- 7.2. ensure that this policy is enforceable.
- 7.3. publish, distribute, and promote this policy and the consequences of any breaches of the policy
- 7.4. always promote and model appropriate standards of behaviour.
- 7.5. deal with any complaints made under this policy in an appropriate manner.
- 7.6. deal with any breaches of this policy in an appropriate manner



- 7.7. recognise and enforce any penalty imposed under this policy
 - 7.8. ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
 - 7.9. monitor and review this policy at least annually.
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8. Individual responsibilities

Individuals bound by this policy must:

- 8.1. make themselves aware of the contents of this policy;
 - 8.2. comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy.
 - 8.3. consent to the screening requirements set out in this policy, and any state/territory Working with Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law.
 - 8.4. place the safety and welfare of children above other considerations.
 - 8.5. be accountable for their behaviour.
 - 8.6. comply with any decisions and/or disciplinary measures imposed under this policy.
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9. Complaints, Disputes & Discipline Policy

The Complaints, Disputes and Discipline Policy applies to any alleged Prohibited Conduct, including reports of breaches, of this Policy.



SCHEDULE 1 - Examples of Prohibited Conduct

1. **Abuse** must be behaviour of a nature and level of seriousness which includes, but is not limited to:
 - (a) physical abuse and assault including hitting, slapping, punching, kicking, destroying property, sleep, and food deprivation, forced feeding, unreasonable physical restraint, spitting at another person or biting;
 - (b) sexual abuse including rape and assault, using sexually degrading insults, forced sex or sexual acts, deliberately causing pain during sex, unwanted touching or exposure to pornography, sexual jokes, using sex to coerce compliance;
 - (c) emotional abuse such as repeated and intentional embarrassment in public, preventing or excluding someone from participating in sport activities, stalking, humiliation, or intimidation;
 - (d) verbal abuse such as repeated or severe insults, name calling, criticism, swearing and humiliation, attacks on someone's intelligence, body shaming, or aggressive yelling;
 - (e) financial abuse such as restricting access to bank accounts, taking control of finances and money, forbidding someone from working, taking someone's pay and not allowing them to access it;
 - (f) neglect of a person's needs.

2. **Bullying** must be behaviour of a nature and level of seriousness which includes, but is not limited to, repeatedly:
 - (a) keeping someone out of a group (online or offline);
 - (b) acting in an unpleasant way near or towards someone;
 - (c) giving nasty looks, making rude gestures, calling names, being rude and impolite, constantly negative and teasing;
 - (d) spreading rumours or lies, or misrepresenting someone (i.e. using their social media account to post messages as if it were them);
 - (e) 'fooling around', 'messaging about' or other random or supposedly playful conduct that goes too far;
 - (f) harassing someone based on their race, sex, religion, gender, or a disability;
 - (g) intentionally and repeatedly hurting someone physically;
 - (h) intentionally stalking someone; and
 - (i) taking advantage of any power over someone else, but does not include legitimate and reasonable:
 - (a) management action;
 - (b) management processes;
 - (c) disciplinary action; or



- (d) allocation of activities in compliance with agreed systems.

3. Harassment must be behaviour of a nature and level of seriousness which includes, but is not limited to:

- (a) telling insulting jokes about racial groups;
- (b) sending explicit or sexually suggestive emails or text messages;
- (c) displaying racially offensive or pornographic images or screen savers;
- (d) making derogatory comments or taunts about someone's race;
- (e) asking intrusive questions about someone's personal life, including his or her sex life;
- (f) sexual harassment or any of the above conduct in the workplace by employers, co-workers, and other workplace participants;
- (g) any of the above conduct in the workplace, based on or linked to a person's disability or the disability of an associate; and
- (h) offensive behaviour based on race or racial hatred, such as something done in public that offends, insults, or humiliates a person or group of people because of their race, colour or nationality or ethnicity.

4. Sexual Misconduct is behaviour including, but not limited to:

- (a) unwelcome touching;
- (b) staring or leering;
- (c) suggestive comments or jokes;
- (d) showing or sharing sexually explicit images or pictures;
- (e) unwanted invitations to go out on dates;
- (f) requests for sex;
- (g) intrusive questions about a person's private life or body;
- (h) unnecessary familiarity, such as deliberately brushing up against a person;
- (i) insults or taunts based on sex;
- (j) sexually explicit physical contact;
- (k) sending sexually explicit or suggestive emails, texts, or other electronic/social media messages;
- (l) displaying pornographic images or screen savers;
- (m) asking intrusive questions about someone's personal life, including about his or her sex life; and
- (n) criminal offences such as rape, indecent or sexual assault, sexual penetration, or relationship with a child under the age of 16 and possession of child pornography.

5. Unlawful Discrimination is unfair treatment based on a person's:

- (a) age;
- (b) disability;



- (c) race, colour, nationality, ethnicity, or migrant status;
- (d) sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding; and
- (e) sexual orientation, gender identity or intersex status.

6. Victimisation is behaviour including, but not limited to:

- (a) dismissal of an employee/volunteer or disadvantage to their employment/involvement in sport;
- (b) alteration of an employee's position or duties to his or her disadvantage;
- (c) discrimination between an employee and other employees;
- (d) repeated failure to select an individual on merit;
- (e) a reduction in future contract value; and
- (f) removal of coaching and other financial and non-financial support.

7. Vilification is behaviour including, but not limited to:

- (a) speaking about a person's race or religion in a way that could make other people dislike, hate, or ridicule them;
- (b) publishing claims that a racial or religious group is involved in serious crimes without any evidence in support;
- (c) repeated and serious verbal or physical abuse about the race or religion of another person;
- (d) encouraging violence against people who belong to a particular race or religion, or damaging their property; and

encouraging people to hate a racial or religious group using flyers, stickers, posters, a speech, or publication, or using website.