

GYMNASTICS FEDERATION AMERICAN SAMOA MEMBER PROTECTION POLICY



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PREFACE

The Gymnastics Federation of American Samoa (GFAS) is committed to providing a sport and work environment free of discrimination and harassment (sexual or otherwise), where individuals are treated with respect and dignity. GFAS will not tolerate discriminatory or harassing behaviour under any circumstances and will take disciplinary action against anyone who breaches this Member Protection policy.

GFAS's Member Protection policy is part of the organisation's proactive and preventative approach to tackling inappropriate behaviour.

GFAS is committed to ensuring that the safety, welfare and wellbeing of children are maintained at all times during their participation in activities run by GFAS and its member bodies. Accordingly, any person involved in the instruction, management or coaching of any member under the age of 18 years may be asked to undergo screening procedures including police clearance and other probity checks.

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PRESIDENT

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Gymnastics Federation of American Samoa

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GYMNASTICS FEDERATION OF AMERICAN SAMOA MEMBER PROTECTION POLICY

1. INTRODUCTION

The Gymnastics Federation of American Samoa (GFAS) sets out its vision, mission and values as follows:

Vision:

Movement Begins Here

Mission:

To promote gymnastics as the foundation for all sport and develop future champions.

Core Values:

Excellence

Leadership

Integrity

Teamwork

2. PURPOSE OF THIS POLICY

This Member Protection Policy aims to maintain ethical and informed decision-making and responsible behaviors within our sport. It outlines our commitment to a person's right to be treated with respect and dignity and to be safe and protected from abuse. This policy informs everyone involved in our sport of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

GFAS will not tolerate acts of physical violence, discriminatory or harassing behaviour under any circumstances and may take disciplinary action against anyone who breaches this Member Protection Policy. Such disciplinary action is outlined in the GFAS Discipline, Grievance and Appeals Policy which must be read in conjunction with this policy.

GFAS's Member Protection Policy is part of the organisation's proactive and preventative approach to tackling inappropriate behaviour and as such sets out the Codes of Behaviour within which everyone associated with the organisation is expected to abide.

GFAS is committed to ensuring that the safety, welfare and wellbeing of all people, but in particular children, are maintained at all times during their participation in activities run by GFAS. Child safety is embedded into GFAS's governance and culture through the organisation's Child Safe Policy that must be read in conjunction with this policy.

This policy has been endorsed by the GFAS Board of Directors and has been adopted as one of GFAS's official policies in accordance with the GFAS Articles of Association. The policy starts on the date it is adopted by the board and will operate until replaced. This policy and/or the documents within its Appendix may be amended from time to time by the GFAS Board of Directors in accordance with the GFAS Articles of Association. Copies of GFAS policies can be accessed via the GFAS website at <https://oceaniagymnastics.org/home/american-samoa/> or by emailing americansamoagymnastics@gmail.com.

For information on the rights, responsibilities and requirements for people involved in our sport at the club level, please refer to the member protection policies of the relevant club.

3. SCOPE

This policy applies to the following people, whether they are in a paid or unpaid/voluntary capacity:

- a) Persons appointed or elected to boards, committees and sub-committees;
- b) Employees, contractors and volunteers of GFAS;
- c) Support personnel appointed or elected to teams and squads
- d) Coaches and assistant coaches;
- e) Athletes;
- f) Judges and other officials involved in the regulation of the sport;
- g) Members, including honorary and life members;
- h) Clubs, organisations or persons affiliated with GFAS or its members;
- i) Athletes, coaches, officials and other personnel participating in events and activities, held or sanctioned by GFAS;
- j) Any other person including spectators, parents/guardians and sponsors, who or which agrees in writing (whether on a ticket, entry form or otherwise) to be bound by this policy.

This policy will continue to apply to a person or Member, even after they have stopped their association or employment with GFAS, if disciplinary action against that person has commenced.

4. DEFINITIONS

The definitions below set out the meaning of words used in this policy without limiting the ordinary and natural meaning of the words. The definitions are based on terminology within the United Nations Glossary on Sexual Exploitation and Abuse, the Australian Department of Foreign Affairs and Trade (DFAT) Environmental and Social Safeguard Policy and are compliant with the DFAT Child Protection Policy 2017.

Abuse is the misuse of power through which the perpetrator gains control or advantage of the abused, using and causing physical or psychological harm or inciting fear of that harm. Abuse prevents persons from making free decisions and forces them to behave against their will.

Affiliated club means a club affiliated with GFAS, recognised by GFAS in the GFAS Articles of Association.

Board means the Board of GFAS as constituted from time to time.

Child means every person below the age of 18. This Policy uses the United Nations Convention on the Rights of the Child definition of a child, being any person under the age of 18.

Child abuse is the physical, sexual, emotional mistreatment or neglect of a child resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Complaint means a complaint made according to the GFAS Discipline, Grievance and Appeals Policy.

Complainant means a person making a complaint / lodging a notification of grievance.

Complaint Handler/Manager means a person appointed under the GFAS Discipline, Grievance and Appeals Policy to investigate a Complaint.

Discrimination occurs when someone is treated unfairly or less favourably than another person in the same or similar circumstances because of a particular personal characteristic.

In American Samoa, it is against the law to discriminate against someone because of their: actual or supposed personal characteristics or circumstances, including race, culture, ethnic or social origin, colour, place of origin, sex, gender, sexual orientation, gender identity and expression, birth, primary language, economic or social or health status, disability, age, religion, conscience, marital status or pregnancy; or opinions or beliefs, except to the extent that those opinions or beliefs involve harm to others or the diminution of the rights or freedoms of others.

Treating one person differently from another on any of the grounds prescribed under Section 7.2 of this policy, unless it can be established that the difference in treatment is not unfair in the circumstances.

GFAS Grievance, Discipline and Appeals Policy means the GFAS Grievance, Discipline and Appeals Policy approved by the GFAS Board in October 2020 as amended from time to time.

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GFAS Discipline Committee means the committee convened pursuant to GFAS's Grievance, Discipline and Appeals Policy.

Harassment is any type of behaviour that the other person does not want and is likely to make the person feel intimidated, insulted or humiliated. Harassment is sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some other characteristic (see characteristic list under discrimination).

Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal and includes electronic communication.

Harassment, or requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law.

Intersex means a person with a variation in sex characteristics including chromosomes, gonads, or genitals that do not allow an individual to be distinctly identified as male or female.

Member means a member of GFAS as set out according to the GFAS Articles of Association and Bylaws.

Member Protection Information Officer (MPIO) means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy. He or she provides impartial and confidential support to the person making the complaint. The GFAS Member Protection Information Officer Position Description is outlined in Appendix 10 of this policy.

Natural justice (also referred to as procedural fairness) incorporates the following principles:

- both the Complainant and the Respondent must know the full details of what is being said against them and have the opportunity to respond;
- all relevant submissions must be considered;
- no person may judge their own case;
- the decision maker/s must be unbiased, fair and just;
- the penalties imposed must be fair.

Notification of Grievance statement of a complaint over something believed to be wrong or unfair

This policy means this Member Protection Policy.

Respondent means the person who is being complained about.

Role-specific codes of behaviour (or conduct) means standards of behaviour required of certain roles (e.g. coaches).

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display 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 including but not limited to:

Rape

Indecent assault

Incest

Defilement of girl under the age of 16

Sexual offences against people with impaired mental functioning

Abduction

Procuring defilement of women by threats, fraud or drugs

Unnatural offences

Loitering or soliciting for the purposes of prostitution

Selling minors for immoral purposes

Living on earnings of prostitution

Transgender is a general term applied to individuals and behaviors 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 detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under government legislation (e.g. anti-discrimination) or under this Policy, or for supporting such a person.

Vilification involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of discrimination. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

5. RESPONSIBILITIES OF THE ORGANISATION

GFAS and affiliated clubs must:

- a) Adopt, implement and comply with this policy;
- b) Make such amendments to their Articles of Association, Constitution, Rules or Policies necessary for this policy to be enforceable;
- c) Publish, distribute and promote this policy and the consequences of breaches;
- d) Promote and model appropriate standards of behaviour at all times;
- e) Promptly deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner;
- f) Apply this policy consistently;
- g) Recognise and enforce any penalty imposed under this policy;
- h) Ensure that a copy of this policy is available or accessible to the persons and associations to whom this policy applies;
- i) Use appropriately trained people to receive and manage complaints and allegations;
- j) Monitor and review this policy at least annually.

6. INDIVIDUAL RESPONSIBILITIES

Individuals bound by this policy are responsible for:

- a) Making themselves aware of the policy and complying with its standards of behaviour;
- b) Complying with GFAS's screening requirements;
- c) Placing the safety and welfare of children above other considerations;
- d) Being accountable for their behaviour;
- e) Following the procedures outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour; and
- f) Complying with any decisions and/or disciplinary measures imposed under this policy and the GFAS Discipline, Grievance and Appeals Policy.

7. POSITION STATEMENTS

7.1 Child Protection

GFAS is committed to protecting the safety and wellbeing of children.

We uphold the rights and obligations of the United Nations Convention on the Rights of the Child and are dedicated to protecting children from harm, exploitation and abuse. Through the identification and management of risks that may lead to harm of children, GFAS aims to provide the safest possible environments for any children with whom it works. We encourage child-safe practices within our organisation with the aim of children experiencing zero harm as a result of our programs.

GFAS is committed to implementing and maintaining child protection measures to the highest standard. These include:

- a) In all contracts involving GFAS, all parties agree to abide by the requirements of this Policy and the GFAS Child Safe Policy;
- b) Child protection risks are included in all project and activity risk assessments;
- c) Culturally specific issues relevant to child protection will be incorporated into project specific risk management strategies, training and response procedures;
- d) Preventative child protection measures are implemented to the highest standard;
- e) Comprehensive child-safe recruitment and screening processes are employed;
- f) Child protection training is regularly provided to relevant GFAS employees and representatives;
- g) A Child Safe Code of Conduct exists and is understood and signed, wherever applicable, by all GFAS employees and representatives that are bound by it;

- h) Clear and current reporting procedures exist and are known by GFAS employees and representatives;
- i) National laws and processes and local resources are taken into account within reporting and response mechanisms;
- j) No person is permitted to work with children if they pose an unacceptable risk to children's safety or wellbeing;
- k) All employment contracts involving GFAS outline that GFAS has the right to dismiss, suspend or transfer to other duties personnel who breach the Child Safe Code of Conduct; and
- l) The highest levels of confidentiality and sensitivity are employed pending an official investigation of an incident.

To show our commitment to ensuring GFAS does everything it can to have a child safe environment for all our young participants, GFAS has developed a Child Safe Policy that comprehensively addresses this prioritised focus. The GFAS Child Safe Policy can be found on the GFAS website at https://oceaniagymnastics.org/wp-content/uploads/2019/11/Child_Safe_Policy-GFAS.pdf

7.2 Anti-Discrimination and Harassment

GFAS is committed to providing an environment in which people are treated fairly and equitably and free from all forms of discrimination and harassment.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

a) Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by anti-discrimination laws.

The personal characteristics protected by anti-discrimination laws in American Samoa include attributes such as race, age, disability, gender and race. The full list of protected personal characteristics is provided in Section 4 of this policy "Definitions".

Discrimination can be either direct or indirect.

- **Direct** discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **Indirect** discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purposes of determining discrimination, the offender's awareness and motive are irrelevant.

b) Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times. A single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment is unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviors and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

c) Prohibition against Discrimination and Harassment

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the "Definitions" set out in Section 4 of this policy.

7.3 Physical Violence

Physical violence is behaviour involving physical force intended to hurt, damage, or kill someone or something and includes (without limitation) physical assault.

GFAS will not tolerate acts of physical violence in any circumstances and takes any grievances or concerns relating to actual or threatened physical violence very seriously.

7.4 Intimate Relationships

GFAS 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, they must ensure that they treat athletes in a respectful and fair manner, and that they do not engage 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:

- a) the relative age and social maturity of the athlete;
- b) any potential vulnerability of the athlete;
- c) any financial and/or emotional dependence of the athlete on the coach or official;
- d) the ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career;
- e) the extent of power imbalance between the athlete and coach or official; and 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 the MPIO or other GFAS official 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 we 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.

7.5 Pregnancy

Everyone bound by this policy must treat pregnant women with dignity and respect and any unreasonable barriers to participation by them in our sport should be removed. GFAS will not tolerate any discrimination or harassment against pregnant women.

While many sporting activities are safe for pregnant women, we will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Those risks will depend on the nature of the sporting activity and the particular pregnant woman's circumstances. GFAS will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport.

GFAS recommends that pregnant women wanting to participate in our sport consult with their medical advisors, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation. GFAS will only require pregnant women to sign a disclaimer if GFAS requires other participants to sign one in similar circumstances. GFAS will not require women to undertake a pregnancy test.

7.6 Gender Identity

Everyone bound by this policy must treat people who identify as transgender fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. GFAS will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender. Descriptions of the types of behaviour which could be regarded as transgender discrimination or harassment are provided in the Section 4 of this policy and include trans, transgender and gender diverse.

a) Gender identity discrimination and harassment

Anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity. (See definition in Section 4).

GFAS 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 be treated fairly and with dignity and respect at all times. 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.

b) Participation in sport

GFAS 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 on the basis 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.

GFAS is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends competing at an elite level, GFAS will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by GFAS.

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.

c) **Intersex status**

Anti-discrimination laws prohibiting unfair treatment of people on the grounds of sexual orientation, gender identity and expression provide protection from discrimination against a person on the basis of their intersex status (see Section 4 Definitions).

GFAS 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.

7.7 Alcohol Policy

GFAS is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that member clubs follow strict guidelines regarding the service and consumption of alcohol.

In general, our policy is that:

- a) alcohol should not be available or consumed at sporting events involving children and young people under the age of 18;
- b) alcohol-free social events be provided for young people and families;
- c) food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
- d) a staff member 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;
- e) safe transport options be promoted as part of any event we hold or endorse where alcohol is served.

7.8 Smoking Policy

GFAS is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse.

The following policies should be applied to sporting and social events:

- a) No smoking shall occur at or near any sporting event or competition involving persons under the age of 18. This policy shall apply to coaches, players, trainers, officials, contractors and volunteers;
- b) Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas; in line with American Samoa Smoke Free Environment Act;
- c) Coaches, officials, trainers, contractors, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity for any of GFAS, Club or representative team, during and outside of competition.

7.9 Bullying

GFAS is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable in our sport.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group.

Whilst generally characterised by repeated behaviors, one-off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- a) verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- b) excluding or isolating a group or person;
- c) spreading malicious rumours; or
- d) psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. 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 inappropriate comments. GFAS will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a judge, teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club.

Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a judge, teammate, coach, or sporting body 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, league or peak sporting body.

7.10 Website and Social Media Policy

GFAS 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:

- a) 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;
- b) must not contain material which is inaccurate, misleading or fraudulent;
- c) must not contain material which is in breach of laws, court orders, undertakings or contracts;
- d) should respect and maintain the privacy of others; and
- e) should promote the sport in a positive way.

The complete GFAS Website and Social Media Policy can be found on the GFAS Website.

8. 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 Behaviour (see Appendix to this policy);
- b) Bringing the sport and/or GFAS into disrepute, or acting in a manner likely to bring the sport and GFAS into disrepute;
- c) Failing to follow GFAS policies (including this policy) and procedures for the protection, safety and welfare of children;
- d) Discriminating against, harassing or bullying (including cyber bullying) any person;
- e) Victimising another person for reporting a complaint;
- f) Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- g) Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- h) Disclosing to any unauthorised person or organisation any GFAS information that is of a private, confidential or privileged nature;
- i) Making a complaint they knew to be untrue, vexatious, malicious or improper;
- j) Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- k) Failing to comply with a direction given to the individual or organisation during the discipline process.

9. COMPLAINTS / GRIEVANCES

If any person believes that they are being, or have been bullied, harassed or discriminated against by another person or organisation bound by this policy, they are encouraged to seek information and support from a GFAS MPIO or Official (email americansamoagymnastics@gmail.com for GFAS MPIO contact details). They may lodge a Notification of Grievance following the GFAS Grievance Procedure as outlined in the GFAS Discipline, Grievance and Appeals policy.

9.1 Child Abuse and Misconduct with a Child Allegations

GFAS has zero tolerance of child abuse, and OGU will treat all allegations of child abuse and/or misconduct with children seriously, consistently and with a high degree of sensitivity. The GFAS Child Safe Policy must be referred to for detailed guidelines on handling these allegations.

9.2 Handling Grievances

GFAS aims to provide a simple, fair and transparent procedure to make and handle Grievances based on the principles of procedural fairness (Natural Justice). Any person (a Complainant) may report a Grievance about a person/s or organisation bound by this policy (Respondent). All Grievances will be dealt with promptly, seriously, sensitively and confidentially.

OGU has developed a Discipline, Grievance and Appeals Policy that comprehensively addresses the conduct and process of all Discipline, Grievance & Appeals matters and issues within the jurisdiction of the GFAS, including the procedure for Notification of a Grievance.

APPENDIX

APPENDIX 1: CHILD SAFE CODE OF CONDUCT

Acceptable Behaviors

Gymnastics Federation of American Samoa personnel shall:

- Treat children with respect regardless of race, color, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- Not use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- Not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts;
- Wherever possible, ensure that another adult is present when working in the proximity of children
- Not invite unaccompanied children into their home, unless they are at immediate risk or injury or in physical danger;
- Not sleep close to unsupervised children unless absolutely necessary, in which case they must obtain their supervisor's permission, and ensure that another adult is present if possible;
- Use any computers, mobile phones, video cameras, cameras or social media appropriately, and never to exploit or harass children or access child exploitation material through any medium;
- Not use physical punishment on children
- Not hire children for domestic or other labor which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- Comply with all relevant American Samoa legislation, including labor laws in relation to child labor;
- Immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures;
- Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occurs during their association with the Gymnastics Federation Of American Samoa that relate to child exploitation and abuse;
- Conduct themselves in a manner appropriate with their position representing GFAS in all their dealings with children;
- Immediately raise concerns regarding a child's safety or wellbeing in accordance with GFAS's Reporting Procedures and observe procedural fairness when engaged in decision-making;
- Be visible when working with children and, wherever possible, ensure that another adult is present when working in the proximity of children;
- Listen to children and allow them to be engaged in decisions that may affect them;
- Follow organizational policy and guidelines regarding the safety of children.

Unacceptable Behaviors

Gymnastics Federation of American Samoa personnel shall not:

- Use language or demonstrate behavior towards children that is inappropriate, harassing, abusive, demeaning, sexually provocative, or culturally insensitive;
- Engage children in any form of activity that is demeaning, offensive, sexually provocative, abusive or culturally inappropriate or insensitive;
- Engage children in any form of sexual activity or acts, including paying for sexual services or acts;
- Invite unaccompanied children into their home, unless they are at immediate risk of injury or in physical danger;
- Access child pornography through any medium;
- Sleep close to unsupervised children unless absolutely necessary, in which case they must obtain their supervisor's permission, and ensure that another adult is present if possible;
- Hire children for domestic or other labor which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- Exclude or favor a particular child;
- Touch a child in an inappropriate or culturally insensitive manner. Personnel in direct medical care positions are to follow Australian and/or overseas industry best practice guidelines.

APPENDIX 2: GENERAL CODE OF BEHAVIOUR

As a member of The Gymnastics Federation of American Samoa (GFAS) or an affiliated club or a person required to comply with *this Policy*, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GFAS or an affiliated club and in any role you hold within GFAS or an affiliated club:

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate and honest in all dealing with others.
3. Be professional in, and accept responsibility for, your actions.
4. Make a commitment to providing quality service.
5. Be aware of, and maintain an uncompromising adherence to, GFAS's standards, rules, regulations and policies.
6. Operate within the rules of the sport including national and international guidelines which govern GFAS, and the affiliated clubs.
7. Do not use your involvement with GFAS or an affiliated club to promote your own beliefs, behaviors or practices where these are inconsistent with those of GFAS or an affiliated club.
8. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
9. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
10. Refrain from any form of harassment of others.
11. Refrain from any behaviour that may bring GFAS or an affiliated club into disrepute.
12. Provide a safe environment for the conduct of the activity.
13. Show concern and caution towards others who may be sick or injured.
14. Be a positive role model.
15. Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

APPENDIX 3: COACHES' CODE OF ETHICS

In addition to The Gymnastics Federation of American Samoa's General Code of Behavior, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by The Gymnastics Federation of American Samoa (GFAS), or an affiliated club and in your role as a coach appointed by The Gymnastics Federation of American Samoa, or an affiliated club:

Abide by the rules of The Gymnastics Federation of American Samoa as set forth in its Articles of Association and by-laws.

- follow procedures for enforcement of the Code of Ethics;
- accept any judgments made; and
- use the established procedures for challenging a competitive result, contesting a team selection decision, complaining about the conduct of another Member, or attempting to change policy of The Gymnastics Federation of American Samoa.

Direct your observations and recommendations regarding all aspects of gymnastics to the appropriate persons for the betterment of the sport.

- be constructive with criticisms and direct comments and observations to the relevant individuals and organizations, to avoid gossip, innuendo and malicious comment; and
- respect the efforts of appointed and elected representatives of The Gymnastics Federation of American Samoa.

Represent yourself and your coaching status in an honest and professional manner, without bringing the coaching profession or The Gymnastics Federation of American Samoa into disrepute.

- use your accreditation status and Technical Membership of GFAS to represent your ability in an honest manner, not to gain unwarranted favors;
- be professional in and accept responsibility for your actions;
- extend professional courtesy to other coaches, athletes and their parents by keeping them informed in matters relevant to athlete's training programs;
- abide by and respect the regulations governing sport and the organization and individuals administering those regulations;
- be a role model for your sport and the athletes; and
- respect the rights, dignity and worth of every human being within the conduct of your involvement in gymnastics.

Exercise a standard of care consistent with your competence and obligations as a coach.

- show concern for the health, safety and welfare of athletes and colleagues;
- coach within the limits of your competence as a coach;
- follow GFAS safety guidelines in respect of the duty of care owed to the athlete;
- provide planned and sequential training programs based on the individual developmental needs of athletes;
- modify the training program for injured athletes based on appropriate medical advice when required; and
- provide a safe environment for participants in training and competition.

Provide a quality service to your athletes and to the sport.

- maintain or improve your current Coaching accreditation;
- seek continual improvement through performance appraisal and ongoing coach education;
- honor the responsibilities given to a coach by keeping all relevant qualifications up to date; and
- work to ensure your athletes' time spent with you is a positive experience.

Promote and assist in the development of the coaching profession.

- assist others to develop good attitudes, skills and knowledge relating to the sport; and
- promote and assist in the education of other coaches.

Put athletes' welfare first; making decisions based on the best interests of your athlete's' sporting, education and vocational careers.

- acknowledge the individual talents and potential of athletes; and
- maintain a balanced emphasis of sporting involvement within educational and career objectives.

Show leadership, and support efforts to remove the abuse of drugs in sport.

- abide by the regulations of the relevant national and international sporting and government bodies; and
- respect the health and dignity of athletes to compete on the basis of their abilities; within the rules of the sport of gymnastics.

Encourage, by example, the removal of any form of personal abuse or inappropriate discrimination.

- refrain from verbal, physical or emotional abuse;
- refrain from any form of sexual harassment towards athletes and colleagues;
- refrain from using the influence of a coaching position to encourage inappropriate intimacy between coach and athlete;
- refrain from any discriminatory practices on the basis of race, religion, ethnic background, or special ability/disability of athletes; and
- be alert to any forms of abuse towards your athletes from other sources whilst they are in your care.

Ensure physical contact with athletes is appropriate and necessary for the athletes' skill development.

- ensure spotting methods and philosophy are consistent with established gymnastics principles; and
- ensure spotting is used only to facilitate learning or safe performance.

APPENDIX 4: JUDGES' CODE OF ETHICS

In addition to The Gymnastics Federation of American Samoa's General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by The Gymnastics Federation of American Samoa, or an affiliated club and in your role as an official appointed by The Gymnastics Federation of American Samoa, or an affiliated club:

In order to present a professional image and to judge objectively and accurately, all judges should:

In General:

- understand and abide by the Judge's Oath;
- be fully conversant with the International Gymnastics Federation (FIG) Code of Points and/or any other published rules and regulations pertaining to the standard of gymnastics being judged;
- actively maintain technical knowledge through ongoing review of the Code of Points, technical publications, videos and gym floor participation;
- attend all pre-competition judge's meetings;
- dress in a tidy fashion benefiting the status and image of a judge;
- be punctual for all official events;
- avoid the use of derogatory language; and
- be prepared to counsel athletes and coaches regarding the athlete's performance after competitions.

When travelling with a team:

- report any significant outcomes from the pre-competition meetings to the team coach;
- be available to attend training sessions to advise on judging matters;
- emphasise the spirit of the sport rather than the errors;
- compliment and encourage all competitors;
- be accountable for one's own judging performance; and
- be a current Member of The Gymnastics Federation of American Samoa.

At competitions:

- dress in the standard judge's uniform for competition;
- be prepared for the competition by having all personal judging equipment and accessories readily available and by being conversant with the apparatus and exercises;
- be co-operative with competition organisers, floor managers, announcers and head judges;
- be quick and accurate in determining scores;
- be co-operative in judges' conferences and assist the head judge to arrive at the final score;
- be prepared to justify scores in a judge's conference; and
- be consistent, objective and courteous at all times.

APPENDIX 5: PARTICIPANT CODE OF BEHAVIOUR

In addition to The Gymnastics Federation of American Samoa (GFAS)'s General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by GFAS or an affiliated club and in your role as a participant in any activity held by or under the auspices of GFAS or an affiliated club:

1. Respect the rights, dignity and worth of fellow participants, coaches, officials and spectators.
2. Do not tolerate acts of aggression.
3. Respect the talent, potential and development of fellow participants and competitors.
4. Care for and respect the equipment provided to you as part of your program.
5. Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
6. At all times avoid intimate relationships with your coach.
7. Conduct yourself in a professional manner relating to language, temper and punctuality.
8. Maintain high personal behaviour standards at all times.
9. Abide by the rules and respect the decision of the official, making all appeals through the formal process and respecting the final decision.
10. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
11. Cooperate with coaches and staff in the development of programs to adequately prepare you for competition at the highest level.

APPENDIX 6: ADMINISTRATOR (VOLUNTEER) CODE OF BEHAVIOUR

In addition to The Gymnastics Federation of American Samoa (GFAS)'s General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of GFAS or an affiliated club and in your role as an administrator of GFAS or an affiliated club:

1. Involve people in planning, leadership, evaluation and decision making.
2. Give all people equal opportunities to participate.
3. Create pathways for people to participate in sport, not just as an athlete but as a coach, judge, administrator, etc.
4. Ensure that rules, equipment, length of games and training schedules are modified to suit the age, ability and maturity level of participants.
5. Provide quality supervision and instruction for junior participants.
6. Remember that people participate for their enjoyment and benefit. Do not overemphasise awards.
7. Help coaches and officials highlight appropriate behaviour and skill development, and help improve the standards of coaching and judging.
8. Ensure that all involved in the sport emphasises fair play, not winning at all costs.
9. Remember, you set an example. Your behaviour and comments should be positive and supportive.
10. Support implementation of all policies of GFAS and the club.
11. Make it clear that any abuse is unacceptable and will result in disciplinary action.
12. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

APPENDIX 7: PARENT/GUARDIAN CODE OF BEHAVIOUR

As a parent of a participant in any activity held by or under the auspices of The Gymnastics Federation of American Samoa (GFAS) or an affiliated club, you must meet the following requirements in regard to your conduct during any such activity or event:

1. Respect the rights, dignity and worth of others, regardless of their gender, ability, cultural background or religion.
2. Remember that your child participates in sport for their own enjoyment, not yours.
3. Focus on your child's efforts and performance rather than winning or losing.
4. Never ridicule or yell at your child and other children for making a mistake or losing a competition.
5. Show appreciation for good performance by all participants (including opposing participants).
6. Show appreciation for volunteers, coaches, judges and administrators.
7. Demonstrate a high degree of individual responsibility especially when dealing with or in the vicinity of persons under 18 years of age, as your words and actions are an example.
8. Respect officials' decisions and teach children to do likewise.
9. Do not physically or verbally abuse or harass anyone associated with the sport (participant, coach, judge, etc).
10. Be a positive role model.
11. Allow fellow parents the respect they deserve in their viewing or involvement in their child's participation.
12. Be aware of the repercussions that any breaches of this code of behaviour may incur.

APPENDIX 8: SPECTATOR CODE OF BEHAVIOUR

As a spectator of any activity held by or under the auspices of The Gymnastics Federation of American Samoa (GFAS), or an affiliated club, you must meet the following requirements in regard to your conduct during any such activity or event:

1. Respect the rights, dignity and worth of others, regardless of their gender, ability, cultural background or religion.
2. Focus on the participants' efforts and performance rather than winning or losing.
3. Never ridicule or yell at participants for making a mistake or not winning a competition.
4. Show appreciation for good performance by all participants (including opposing participants).
5. Demonstrate a high degree of individual responsibility especially when dealing with or in the vicinity of persons under 18 years of age, as your words and actions are an example.
6. Respect officials' decisions and teach others to do likewise.
7. Do not physically or verbally abuse or harass anyone (participant, coach, judge, administrator, etc). Report those that do to the relevant party.
8. Be a positive role model.
9. Check on the appropriate event, club or state bodies' policy on photography of participants before taking photos or videos.
10. Allow fellow spectators the respect they deserve in their viewing of the class/event.
11. Be aware of the repercussions that any breaches of this code of behaviour may incur.

APPENDIX 9: GFAS DIRECTORS' CODE OF CONDUCT & DECLARATION OF INTEREST

Directors' of The Gymnastics Federation of American Samoa (GFAS) will:

General Conduct

1. at all times conduct themselves with the courtesy and respect of others.

Directors' duties

2. discharge their fiduciary duties in the best interest of the members of GFAS as a whole.
3. acknowledge that they represent only the Board of GFAS and do not and cannot represent other or individual constituents including any with which they have been previously been involved and/or associated.
4. conduct themselves independently and free from undue influence at all times.
5. act in good faith at all times.
6. exercise due care and diligence in all matters.
7. meet GFAS's state statutory obligations.

Conflicts

8. avoid any conflict of interest which may arise when:
 - a) a board director or his/her immediate family or business stand to gain financially from any business dealings, programs or services provided to GFAS.
 - b) a board director offers a professional service to GFAS.
 - c) a board director stands to gain professionally or personally from any knowledge derived from his or board position if that knowledge is used for personal or professional advantage.
 - d) a board director holds a position in another gymnastics organisation which deals with GFAS.
9. board directors will disclose upon election and annually thereafter during their term of appointment all interests in the GFAS Register of Interests.
10. it shall be incumbent on and a duty of each board director to disclose any conflict or potential conflict as they arise.
11. a board director shall, during the course of a board meeting or any other meeting involving GFAS interests, seek the consent of the meeting to address the meeting subject to the disclosure and that request will be considered by the Board which may or may not allow the director to speak and may or may not require the director to absent him or herself from the meeting room.

Further obligations

12. a Director shall not act independently of GFAS without the consent of the Board.
13. participate fully and constructively in the deliberations and decisions of the Board and communicate openly to achieve GFAS's goals.

APPENDIX 10: MEMBER PROTECTION INFORMATION OFFICER POSITION DESCRIPTION

The Member Protection Information Officer (MPIO) is responsible for providing information about a person's rights, responsibilities and options to an individual making a notification of grievance to the Gymnastics Federation of American Samoa (GFAS) or raising a concern, as well as support during the process.

They are NOT a person who investigates matters, advises, or advocates for the complainant.

The MPIO:

1. Is trained to be the first point of contact for any person considering making a notification of grievance to GFAS.
2. Provides confidential, impartial and timely information and support.

They act as a sounding board and provide information about the grievance resolution options available to address the persons concerns.

The MPIO is not an advocate but they may elect to accompany complainants, if requested, to talk with someone else.

The MPIO role needs to be flexible given the diverse nature, structure, needs and location of GFAS Member Clubs.

The MPIO is responsible to GFAS's Board and Member Clubs.

The GFAS MPIO will be actively involved in awareness raising and education.

Duties

- (a) Listen to grievances and concerns.
- (b) Provide support.
- (c) Provide information and options to a complainant.
- (d) Keep up to date with information on harassment, discrimination and other forms of inappropriate behaviour.
- (e) Understand and follow GFAS policies and procedures.
- (f) Be accessible and approachable.
- (g) Maintain confidentiality.

Desired Criteria

Skills

- (a) Ability to deal effectively with people faced with difficult or sensitive issues
- (b) Good communication skills
- (c) Ability to provide confidential information about a range of sensitive issues

Knowledge

- (d) Understanding of GFAS's Member Protection, Child Safe, Grievance, Discipline and Appeals policies and procedures
- (e) Awareness of conflict resolution options
- (f) Awareness of the procedures for each conflict resolution option

Attitudes

- (g) Commitment to the principles of harassment-free sport
- (h) A demonstrated commitment to GFAS's values
- (i) A strong sense of their own personal integrity
- (j) Ability to treat individuals and their circumstances with respect, sensitivity and impartiality