



# **TRIATHLON NEW ZEALAND MEMBER PROTECTION POLICY MANUAL**



## 1. Introduction

Triathlon is a sport that values diversity, inclusion, and leadership and one that can be enjoyed by people of all ages and abilities. Triathlon New Zealand (Tri NZ) is committed to ensuring that a diverse range of participants continue to enjoy our sport for years to come and to providing a safe environment in which to do so.

Tri NZ has developed the Membership Protection Policy Manual to reinforce its commitment to providing an environment for participants of all ages and backgrounds that is safe, free from harassment and abuse, and promotes respectful and positive behaviour and values.

The Policy Manual will provide a resource for all members that clearly articulates the type of behaviour that is expected from affiliated individuals and clubs.

The position statements and policies following aim to ensure our core values, good reputation and positive behaviours and attitudes are always maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity and is safe and protected from abuse. They will inform everyone involved in our sport of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required and expected

This Policy Manual:

- Has been made pursuant to the Constitution of Triathlon New Zealand and has been endorsed by the Tri NZ Board.
- Will operate until replaced or rescinded.
- May be amended from time to time by resolution of the Tri NZ Board. A 'current' version of the Membership Protection Manual will be always available on the Tri NZ website. [www.triathlon.kiwi](http://www.triathlon.kiwi)



## 2. Who does this policy manual apply to:

The policies, position statements and information contained within this manual apply to the following people, unless they have varied their agreement with Tri NZ by consenting to be bound by a policy which complements or supersedes this information contained within this manual, whether they are in a paid or unpaid/voluntary capacity:

- Persons appointed or elected to Tri NZ's Board, committees, and sub-committees.
- Employees, contractors, and volunteers of Tri NZ, including Technical Officials.
- Support personnel appointed or elected to Tri NZ HP team and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers, etc).
- Accredited coaches.
- HP Athletes.

The Policy manual is given to the triathlon community via affiliated clubs and event partners, to promote and assist with ensuring a safe and responsible environment for all participants. Communications state all those involved with an event and/or club should be made aware that every person is treated with respect and dignity and is safe and protected from abuse.

People included but not limited to are:

- Athletes, coaches, officials, marshals, and other personnel participating in events and activities, including camps and training sessions.
- Parents, guardians, spectators and sponsors to the full extent that is possible, including where spectators, parents/guardians and sponsors, who or which agree in writing (whether on a ticket, entry form or otherwise) are made aware of the Policy.

The policies and information contained within this manual will continue to apply to a person even after they have stopped their employment with Tri NZ if disciplinary action, relating to an allegation against that person, has commenced prior to that person ceasing their association with Tri NZ.

Full Triathlon New Zealand policies covered under this Policy Manual, are located in the appendix, and published on the Triathlon New Zealand Website - [www.triathlon.kiwi](http://www.triathlon.kiwi)



## **2.1 Responsibilities of Tri NZ Affiliated Clubs, Accredited Coaches, Technical Officials & Sanctioned Event Partners:**

- Publish, and promote this manual.
- Promote and model appropriate standards of behaviour at all times.
- Promptly deal with any breaches or complaints made under these policies in a sensitive, fair, timely and confidential manner.
- Apply these policies consistently.
- Recognise and enforce any penalty imposed under these policies.
- Ensure that a copy of this manual is available or accessible to the persons and associations to whom these policies apply.
- Use appropriate people to receive and manage complaints and allegations.
- Monitor and review these policies from time to time as appropriate.

## **2.2 Responsibilities of the Individual:**

- Making themselves aware of these policies and complying with their standards of behaviour.
- Placing the safety and welfare of children above other considerations.
- Being accountable for their own behaviour.
- Follow the procedures outlined in these policies regarding child protection concerns.
- Co-operating in providing a discrimination, child abuse and harassment free sporting environment.
- Understand the possible consequences of breaching these policies; and
- Comply with any decisions and/or disciplinary measures imposed pursuant to these policies.



### 3. Code of Conduct

Triathlon New Zealand expects all members, supporters, advisors, staff, and associates of Triathlon NZ to abide by a Code of Conduct that upholds the principles and values of the organisation. Please see appendix for Accredited Coach and Technical Official specific Code of Conducts.

<p>Respect the rights, dignity and worth of others</p>	<ul style="list-style-type: none"> <li>• Be fair, considerate, and honest in dealings with others.</li> <li>• Refrain from any form of abuse, harassment, discrimination, or victimisation towards others.</li> <li>• Be professional in, and accept responsibility for, your actions.</li> </ul>
<p>Maintain high standards of integrity</p>	<ul style="list-style-type: none"> <li>• Operate within the rules of Triathlon New Zealand and maintain an uncompromising adherence to standards, regulations, and policies.</li> <li>• Advocate a sporting environment free of drugs and other performance enhancing substances within the guidelines of the New Zealand Sports Drug Agency and the World Anti-Doping Code.</li> <li>• Advocate a sporting environment free match fixing.</li> <li>• Be a positive role model.</li> <li>• To not provide comment to any media on behalf of Triathlon New Zealand.</li> <li>• To not speak to any media in a negative way regarding Triathlon New Zealand or its affiliated stakeholders.</li> <li>• Never act in a way that may bring disrepute or disgrace to Triathlon NZ members, its stakeholders and/or sponsors, potential sponsors and/or partners.</li> </ul>
<p>Provide a safe and fair environment for athletes, spectators, event staff and anyone else involved with the event</p>	<ul style="list-style-type: none"> <li>• Make a commitment to providing a quality service.</li> <li>• Adopt appropriate risk management strategies to ensure that the event is safe.</li> <li>• Ensure equipment and facilities meet safety standards.</li> <li>• Ensure equipment, rules, training, and the environment are appropriate for the age, physical and emotional maturity, experience, and ability of the participants.</li> <li>• Seek advice and assistance from professionals when additional expertise is required.</li> <li>• Maintain appropriate records.</li> </ul>



## 4. Screening

As part of our duty of care, Triathlon New Zealand must ensure that suitable and appropriate employees and volunteers are engaged to work with children. When recruiting people, we will ensure that there is a robust and consistent screening and vetting process that will help assess whether people are suitable to work with children.

As the new legislation comes into effect, screening and vetting processes will become mandatory for government funded contractors working with children. Therefore, this is not just a Triathlon New Zealand requirement; it may be a legal requirement.

4.1 For the purposes of this Policy Manual, **Screening** shall mean:

- a) Checking referees - including making verbal or written enquiries of the person's nominated referees (preferably at least two) as to the person's suitability for the role and their suitability for involvement with children under 18 years of age.
- b) Interviewing the person - including questioning the person as to their suitability for the role and their suitability for involvement with children under 18 years of age.
- c) Obtaining a Police Vetting Check – investigating to see whether the person has any previous criminal convictions; and
- d) Screening under this policy is not a replacement for any other procedure required by law.

4.2 The following outlines the Screening and Vetting processes for; Triathlon New Zealand:

- a) Carry out an Identity Verification for staff – this is where proof is required for people to verify who they say they are, including previous identities.
- b) Check a person's referees (verbal or written) about his/her suitability for the role.
- c) Obtain a signed consent form from the applicant to conduct Police Vetting.
- d) Undertake the Police Vetting of the individual.
- e) Review Vetting results.
  - If vetting returns "no result", the application and/or engagement may proceed to be considered by Tri NZ.
  - If vetting returns "with results", a Police Vetting Review Panel will be established within 10 days of receipt by the CEO of the Police Vetting Report to assess the suitability of the Relevant Individual to be involved with Tri NZ (the "Decision") and their application will be placed on hold pending the Decision.
- f) This information should be updated, with Police vetting being valid for two consecutive years, at the start of every third year thereafter, the individual must re-submit to the vetting process
- g) Protect the privacy of the person who is checked and maintain confidentiality of any information obtained through the checking process; and
- h) Return all information or paperwork to the person if they are not appointed.

Those who have conviction(s) for child sex offences or violent crimes against children are not permitted to work with children affiliated to Triathlon New Zealand.

For full Triathlon New Zealand Police Vetting Policy see Appendix.



## 5. Definitions

Tri NZ considers the following definitions and examples of Harassment, Abuse, Child Abuse, Discrimination and Social Networking applicable to all its members:

5.1 Harassment, Abuse, Child Abuse, Discrimination, and Vilification are unlawful and prohibited and constitute an offence under this Policy.

5.2 **Harassment** is any unwelcome behaviour or pattern of behaviour which is offensive, abusive, belittling or threatening to a person. It can be expressed or implied, physical, verbal, or non-verbal.

5.3 Whether or not the behaviour is Harassment is determined from the point of view of the person receiving the behaviour, assessed objectively. That is, it must be behaviour that a reasonable person with those characteristics would find unwelcome. It does not matter whether or not the person harassing intended to offend or not.

5.4 **Harassment** includes:

- a) Sexual Harassment (see clauses below);
- b) Abuse (see clauses below); and
- c) Discrimination, including Vilification (see clauses below);
- d) Harassment as defined in Section 3 of the Harassment Act 1997.

5.5 **Sexual Harassment** means:

- a) an unwelcome sexual advance.
- b) an unwelcome request for sexual favours.
- c) unwelcome conduct of a sexual nature (including oral or written statements of a sexual nature),

In circumstances where a reasonable person would have anticipated that the person receiving the behaviour would be offended, humiliated or intimidated.

5.6 **Examples of Sexual Harassment may include:**

- a) Uninvited touching, kissing, embracing, massaging.
- b) Staring, leering, ogling.
- c) Smutty jokes and comments.
- d) Persistent or intrusive questions about people's private lives.
- e) Repeated invitations to go out, especially after prior refusal.
- f) Unwanted sexual propositions.
- g) The use of promises or threats to coerce someone into sexual activity.
- h) The display of sexually explicit material e.g. internet use, computer screen savers, calendars, posters.
- i) Getting undressed in front of others of the opposite sex.
- j) Invading the privacy of persons while showering or toileting.
- k) Photographing others while undressing, showering or toileting.
- l) The use of sexually offensive emails, letters, faxes, notes; and
- m) Sexual insults and name-calling.



5.7 **Sexual Harassment** may be a criminal offence, for example indecent assault, rape, sex with a minor, photography including “upskirting”, obscene telephone calls or letters. If you suspect that a criminal offence may have been committed, you should notify the police and/or seek legal advice.

5.8 Abuse is a form of Harassment. It includes:

- a) **Physical abuse:** this occurs when any person subjects another person to non- accidental physically aggressive acts. The abuser may inflict an injury intentionally, or inadvertently because of physical punishment or the aggressive treatment. Physically abusive behaviour includes (but is not limited to) shoving, hitting, slapping, shaking, throwing, punching, biting, burning, kicking; or training that exceeds the persons development or maturity.
- b) **Sexual abuse:** this occurs when a person involves another person in any sexual activity. It includes both contact and non-contact behaviour, and when a person is encouraged or forced to watch or engage in a sexual activity, or any other inappropriate conduct of a sexual nature. Examples include sexual intercourse, masturbation, kissing or fondling, oral sex, making sexual comments, engaging a person in sexual conversations in-person or via social media, voyeurism (i.e. observing a person in an action that is considered to be of a private nature, such as undressing in a change room), nudity (i.e. an abuser exposing themselves or another person) touching a person’s genitals or breasts, encouraging a person to view pornography including child pornography or other inappropriate touching or conversations; and exploiting a person through prostitution.
- c) **Emotional abuse or psychological abuse;** this occurs when any person repeatedly rejects or threatens a person. Often there is a pattern of emotional or psychological abuse, rather than a single incident. Such abuse may involve humiliating, terrorising, name-calling, belittlement, inappropriate symbolic acts, taunting, sarcasm, yelling, negative criticism, placing unrealistic expectations on a person or continual coldness from any person, to an extent that results in significant damage to the person’s physical, intellectual or emotional wellbeing and development.
- d) **Neglect:** this is the persistent failure or deliberate denial to provide a person with the basic necessities of life. (E.g. failing to give adequate food, clean water, adequate supervision, medical attention, shelter, and clothing or to protect a child from danger or foreseeable risk of harm or injury).
- e) **Abuse of power,** which the harasser holds over the harassed. For example, relationships that involve a power disparity such as a coach-athlete, adult-child, manager-athlete, employer-employee, doctor-patient have the potential for abuse of that power. People in such positions of power need to be particularly wary not to exploit that power, particularly around children.
- f) **Grooming:** this is a term used to describe what happens when a perpetrator builds a relationship with a vulnerable person with a view to abuse them at some stage. Grooming does not necessarily involve any sexual activity or even discussion of sexual activity – for example, it may only involve establishing a relationship with the child, parent or carer (e.g. giving special attention, providing favours, and giving gifts) for the purpose of facilitating sexual activity at a later time.



- g) **Family violence:** this occurs when a person is forced to live with violence between people in his or her home. It can include witnessing violence or the consequences of violence. Family violence is defined as violence between members of a family or extended family or those fulfilling the role of family in a person's life. Exposure to family violence places people, in particular, children at increased risk of physical injury and harm and has a significant impact on their wellbeing and development.

**5.9 Examples of abusive behaviour may include:**

- a) Bullying and humiliation of athletes by coaches.
- b) Abuse and insults directed by athletes or parents at opposing participants.
- c) Child Abuse.
- d) Abuse of Officials by athletes, coaches, or parents.
- e) Bullying, humiliation, and physical intimidation of other athletes in competition; and
- h) Practical jokes which cause significant embarrassment, or which endanger the safety of others.

Some forms of abuse may constitute a criminal offence for example common assault. If you suspect that a criminal offence may have been committed, you should immediately notify the police.

**5.10 Child Abuse** means any Abuse where the offending conduct is against a child, and includes, but is not limited to:

- a) Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity);
- b) Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations);
- c) Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring, or placing unrealistic expectations on a child); and
- d) Neglect (e.g. failing to give food, water, shelter, or clothing or to protect a child from danger or foreseeable risk of harm or injury).

5.11 If a person suspects or has been provided with information that indicates Child Abuse has or may have occurred, then that person must notify the police and any relevant government agency.

5.12 **Discrimination** is treating or proposing to treat a person less favourably than someone else in certain areas of public life based on an attribute or personal characteristic. Requesting, assisting, instructing, inducing, or encouraging another person to engage in Discrimination is also considered Discrimination.



5.13 The personal attributes or characteristics against which a person may be discriminated are:

- a) Age.
- b) Disability – this includes loss of bodily function (e.g. deaf or blind), presence of disease (e.g. hepatitis or HIV), loss of part of the body, disfigurement, malfunction of part of the body, psychological disease, intellectual disability.
- c) Marital status – this covers whether the person is single, married, de facto, married but living separately from their spouse, divorced, or widowed.
- d) Family/Carer status - this includes whether the person is a stepparent, adoptive parent, foster parent, or guardian and includes whether the person is childless or is a carer (e.g. of children, or other dependents).
- e) Gender Identity and Transgender or Intersex status.
- f) Homosexuality and sexual orientation.
- g) Irrelevant medical record.
- h) Irrelevant criminal record.
- i) Physical features – this includes a person weight, size, height, and other physical features.
- j) Political belief or activity.
- k) Pregnancy and breastfeeding– this include whether the person has or supposedly has the signs or symptoms of pregnancy (e.g. morning sickness);
- l) Race.
- m) Religious beliefs or activity; and
- n) Sex or gender.

5.14 Discrimination also includes **victimisation**. Victimisation occurs when one person subjects, or threatens to subject, another person to some form of detriment or harm, because that person has asserted a right (for example, that person has exercised their right to lodge a harassment complaint, or supported someone else’s complaint of a similar nature).

5.15 Tri NZ will take all reasonable steps to ensure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for providing assistance in relation to a complaint. Conduct which amounts to victimisation is a breach of this policy and will not be tolerated. There are laws which may protect a person from being victimised for making a complaint.

5.16 **Exemptions** under the New Zealand legislation may permit certain forms of Discrimination. These may include Discrimination:

- a) in relation to the selection of a team for competition or entry to a competition, where the strength, stamina and physique of the competitor is relevant.
- b) if it is necessary to protect the health and safety or property of any person or of the public generally

Triathlon New Zealand Affiliated members are strongly advised to obtain independent legal advice or consult the Human Rights Commission if such Discrimination is considered.



5.17 **Vilification** is a form of Discrimination and involves a person inciting hatred towards, serious contempt for, or severe ridicule of, a person or group of persons by a public act, including any form of communication to the public and any conduct observable by the public. Vilification is an offence under this Policy where it is based on any of the attributes or characteristics set out in clause 5.13.

5.18 Some forms of Vilification may constitute a criminal offence, for example where harm is threatened. If you suspect that a criminal offence may have been committed, you should notify the police and/or seek legal advice.

5.19 **Social Networking:**

Triathlon New Zealand acknowledges the enormous value of social networking websites, such as but not limited to; Facebook, Instagram, and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport.

5.20 **Social Networking refers** to any website or technology that enables persons to communicate and/or share content via the internet.

5.21 Persons bound by this policy must conduct themselves appropriately when using social networking sites to share information related to Triathlon New Zealand.

5.22 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 Triathlon in a positive way.

5.23 Many children and young people communicate using electronic and social networking platforms, of which many modalities are available to them. Ideally, communication should be conducted between the coach/another adult and the parent of the child, however, if you need to communicate directly with the child/athlete, you need to observe the cautions stated below.

5.24 Triathlon New Zealand recommends the following cautions:

- a) If coaches use phone text or any other social networking means to communicate directly with athletes of any age, content remains brief and functionally related to triathlon and avoids any social comment.
- b) Any electronic communication by a coach with an athlete of any age remains professional but brief.
- c) Do not include personal information of yourself or others in social media channels.
- d) Do not use offensive, provocative, or hateful language or images.
- e) Use your best judgement – do not publish something that makes you feel the slightest bit uncomfortable and, never write/publish if you are feeling emotional or upset (or are intoxicated);



- f) Always ask for a person's permission before posting their picture on a social networking forum.
- g) Never comment on rumours, do not deny, or affirm them or speculate about rumours; and
- h) Always use electronic and social network forums to add value and promote the sport in a positive way.

5.25 Triathlon New Zealand regards **bullying and harassment in all forms as unacceptable in our sport**. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

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. Triathlon New Zealand will not tolerate abusive, discriminatory, intimidating, or offensive statements being made online. In some cases, bullying is a criminal offence.

Frustration at an official, teammate, coach or sporting body should never be communicated on social networking websites.



## 6. Child Protection

Triathlon New Zealand and its affiliated clubs, accredited coaches, event partners, and technical officials have a responsibility to ensure that appropriate policies and procedures are established to safeguard all children and its members from any threat of or form of abuse or harassment while participating in any aspect of our sport. For the purpose of this Member Protection Manual children are defined as under 18 years of age.

The responsibility for safeguarding athletes, children and young people lies with all adults who play a role in their lives. This refers to all who work directly and indirectly with children, including those responsible for the administration and coordinating of the triathlon environment.

Triathlon New Zealand aims to foster an environment within the sport that ensures the safety and wellbeing of all members. An awareness of this Child Protection Section amongst all involved with children and young people in triathlon also assists in reducing risk to clubs, coaches, officials, volunteers, and parents/supporters.

Adults should at all times establish and maintain appropriate professional boundaries in their relationships with athletes.

### 6.1 Good Practice Guidelines

The safety and wellbeing of children/young people must be paramount at all times; therefore Triathlon New Zealand have compiled a list of what good practice amongst coaches, officials, event providers and clubs means

- a) Any physical contact with athletes should be appropriate to the situation and necessary for the athlete's skill development.
- b) Working in an open environment avoiding private or unobserved situations and encouraging open communication.
- c) At camps or 'away/out of town' sessions, adults should never enter children's rooms or invite children/young people into their room (other than the child's parents/caregivers) in the absence of other children.
- d) Securing parental consent in writing to act in loco parentis if the need arises to administer emergency first aid and/or other medical treatment.
- e) Where a coach believes it is necessary to touch an athlete in order to correct technique, it is important that they:
  - Consult with the parent/caregiver first if present; and/or
  - Ensure the child is made aware of the purpose of the contact and gives consent; and/or
  - Consider the appropriateness of the ways in which technique is corrected involving touch.

All coaches, clubs, event partners, volunteers and technical officials must ensure:

- a) They never take, or are in the presence of, children/young people in secluded places where they will be alone, irrespective of gender.
- b) Wherever possible should not share a room with a child other than their own.
- c) They never deliberately reduce a child/young person to tears as a form of control.
- d) They never deliberately do something to make someone feel diminished or embarrassed.



- e) They never use inappropriate language or allow other children to use inappropriate language unchallenged (e.g. swearing, name calling/put downs, sarcasm, innuendo, sexualised connotations, culturally or racially offensive comments).
- f) They never leave a training venue before all athletes have been collected or are continuing to be supervised by appropriate adults.
- g) They never cause an athlete to lose self-esteem by embarrassing, humiliating, or undermining the individual.
- h) They never yell or shout at athletes as a reprimand or in response to anger.
- i) They never make sexually suggestive comments or actions to, or in the vicinity of a child/young person, even in fun.
- j) They never engage in rough, physically, or sexually provocative games; and
- k) They never engage in, or allow unchallenged, any form of abuse or sexual harassment as described in this Policy Manual.



## 7. Broadcasting Guidelines for Secondary School Sports

In conjunction with New Zealand Sport Collective (NZSC) a charter on the broadcasting of Secondary Sport has been created to help protect and support the health, wellbeing, and development of secondary school students in New Zealand sport.

This information is aimed at enabling Event Organisers, Broadcasters, Schools and Sponsors to understand and/or adhere to the standards, processes and safeguards in place to help protect students who participate in the secondary school sporting events that are to be filmed.

Please see appendix for the full NZSC Broadcasting Charter.

### 7.1 Values

- l) Students' enjoyment and positive experiences in sport are the number one priority in all matters relating to sponsorship and broadcast.
- m) Secondary School Sport is about celebrating all sports, genders, groups, and schools equally and does not have a focus on winning only.
- n) Promoting equality, inclusivity, and participation for all school students across New Zealand.
- o) Triathlon NZ And NZSC supports and endorses the current School Sport NZ Integrity Framework, and has aligned with the principles and guidelines of Sport NZ's 'Keep up with the play' and 'Balance is Better' initiatives, positive parental behaviour and support, and will make every effort to align any sponsorship and broadcast messaging to those same values.

### 7.2 Broadcasting Guidelines

#### a) Consent

No secondary school student or school will be featured/focused on in an event broadcast if they do not wish to be.

The process to ensure this consent is granted:

- Event organisers agree to a templated opt out process for their event at the time of registrations opening
- School Principals/Caregivers will be given the opportunity to request that specific students/teams are opted out of broadcast via event entry processes and/or earlier event-related communications.
- Should a student or team have reservations about being broadcast, the Principal can raise this with the Event Organiser or Triathlon NZ in confidence. The event provider and Tri NZ will work with School Sport NZ and NZSC to:
  - i. Answer questions and provide information to help schools feel comfortable with the broadcast if possible; and/or
  - ii. Work through any mitigations required to address those concerns, which may include making best efforts that the student or team will not be featured/focused on in the broadcast; or
- If the above is not possible, the specific event/match will not be broadcast.

#### b) Age Restrictions

- Broadcast will focus on ages 15 and over
- Event providers will work with the broadcasting/live streaming company during the planning process to ensure the competition and broadcast is structured so that athletes aged 15 and over will be focused on during the broadcast.
- Triathlon NZ can offer support to communicate this broadcast restriction to their participants/stakeholders



c) Commentary

Commentators during the planning phase should be made aware of the conduct and requirements in relation to Secondary School age athletes:

- Commentary must always be positive and supportive – no negative comments
- Commentary will focus on values and sportsmanship over winning.
- Commentator must always have consideration of how the student would feel hearing any comments made about them.
- Commentators will not focus on information that will put undue pressure on students i.e “This girl will be the next superstar”.
- Commentator will always respect coaches, officials as well as students.

d) Athlete Interviews

- All student interviews should focus on celebrating the sport, rather than winners and be reflected within the types of questions being asked.
- Interviews where practical will be organised with student as early as possible.
- Student team managers/School Principal/caregivers will be briefed in advance on the types of questions they will be asked.
- Students should be briefed on these questions by team their team managers/School Principal/caregivers, so they have the opportunity to talk it through if they wish.
- Prior to being interviewed for the broadcast, student athletes will be asked for their permission e.g. “there is no obligation at all, but would you like to do an interview”

e) Coverage of Event

Coverage of the event should support positive, equitable opportunities for all students to engage with their sport, celebrating values, health and wellbeing, and other wider benefits that come from sport (vs. only on winning). This theme is to be exhibited throughout the broadcast and production through the following measures:

- Broadcast coverage to include a range of levels of teams/individuals (age 15 and over) from as wide a representation of New Zealand schools as possible.
- A commitment to matching teams as evenly as possible so that broadcast events are not embarrassing for either team/competitor.
- Proportionate focus on each gender relative to participation.
- Encourage and support sports to give as many schools and students the opportunity to be seen as possible (equity of coverage).

If an embarrassing incident or a major injury happens on the field while broadcasting the broadcasting company must support the safety and protection of students in the broadcast environment by the following measures:

- Filming of an incident must cease if there is a major injury on field – the broadcaster/live streamer needs to direct the camera away or cut to an ‘ad break’.
- No focus on anything particularly negative or embarrassing (i.e. a streaker, a brawl, poor coach/side-line behaviour).
- This process will be clearly communicated to producers via communication with Event Organisers, with follow-up conversations, as necessary.
- Triathlon NZ will help support these conversations if needed.



## 8. Complaints Process

Persons who have a complaint within the Triathlon NZ community are encouraged to follow the guidelines for resolving complaints below, (full Tri NZ Complaints Handling Policy is located in the appendix)

### 8.1 Initial self help

If the complainant feels confident enough to do so, self-help means communicating to the alleged offender the behaviour of concern, how it is perceived and how it is affecting them.

This can help particularly if the alleged offender has not thought through their behaviour, isn't aware that it's unacceptable or unwanted, or isn't aware of the consequences.

It can be useful to have a third-party present to help with confidence or to keep the conversation on track. All discussions should be confidential.

### 8.2 Raising a concern

The second option is also informal. It is up to the person affected to decide what is most useful, but it may simply involve getting advice from an independent person from a Club or Triathlon NZ.

The independent person can assist with self-help suggestions or talk through options before deciding whether or not to make a formal complaint. The affected person may also ask the independent person to talk to the alleged offender on their behalf. If this occurs, the affected person's confidentiality will be completely protected unless they consent to disclosing it.

### 8.3 Formal complaint – Triathlon NZ process

If the affected person wants to make a formal complaint, this must be made in writing to Triathlon NZ.

Any formal complaint will need to provide reasonable details as to the nature of the complaint as well as the time and place it occurred. A Club who receives a formal complaint must immediately refer it to the CEO of Triathlon NZ and ensure that it is kept confidential.

Triathlon NZ is responsible for investigating and resolving the complaint in accordance with its disciplinary processes. This may involve meeting with the complainant in order to better understand the nature of the complaint. Triathlon NZ will notify the alleged offender about the nature of the complaint and give the alleged offender a fair opportunity to respond and to be heard. Triathlon NZ will hear and determine an allegation under this policy by applying natural justice including:

- a) Giving notice of the complaint and/or the information received including any charges against them as well as the potential consequences for the alleged offender.
- b) Giving the alleged offender an opportunity to explain or deny the complaint.
- c) Giving the alleged offender a timely hearing before fair and impartial hearing body. Penalties may be imposed where any person in the Triathlon NZ community is found to have committed harassment.

If Triathlon NZ recommends that mediation is appropriate, then the mediation and mediator must be agreed to by both parties. Mediation will be confidential and without prejudice to any other remedies available to those involved. The aim of mediation is to reach agreement, resolve the problem, and ensure the conduct is not repeated.



#### 8.4 **Formal process – Human Rights Act/ Police**

In addition to the processes specified above, any person may choose to make a complaint to the Human Rights Commissioner and/or the Police.

8.5 Complaints/disputes should be resolved at the lowest level practicable. However, an affiliated club or accredited coach should consider whether it should advise Tri NZ, of the dispute so they can provide any advice they may have and be prepared for any media or other enquiries they receive.

8.6 If the concern or safety of children is involved in a complaint or dispute, either as the perpetrator or victim, you at any time able to bypass the formal process above and report your concerns directly to Oranga Tamariki or the Police.

#### 8.7 **Where Child abuse is suspected or reported:**

The welfare and interests of the child or young person are the first and paramount considerations.

- a) Ensure the child is safe from immediate harm
- b) Consult immediately with nominated person-in-charge
- c) As soon as possible, record accurately and appropriately the information received
- d) Records should be factual (not opinion or hearsay) and concise and include
  - The nature of the allegation
  - Who noticed/ disclosed the abuse and their relationship to the child?
  - Details of any witnesses (name, address, phone number, email)
  - Signs and symptoms noted (including behavioural change)
  - Any particular incidents with dates, times and places (if possible)
  - Any action taken
- e) Consult with others as necessary – do not work alone, make an appropriate referral to Oranga Tamariki as soon as possible
- f) Avoid questioning the child beyond what has already been disclosed
- g) Do not question or counsel the alleged offender
- h) Do not investigate/ presume expertise unless very experienced and qualified to do so.
- i) Notify Oranga Tamariki and Family or Police.



## CONTACT DETAILS FOR ADVICE OR TO REPORT AN ALLEGATION OF CHILD ABUSE

<b>NEW ZEALAND POLICE</b>	<b>If you believe a child is in immediate danger call 111</b>
<b>Oranaga Tamariki (Ministry for Children)</b>	<p>If you're worried about a child and want to make a referral or report of concern, call freephone <b>0508 326 459</b> (lines open 24/7) or email <a href="mailto:contact@ot.govt.nz">contact@ot.govt.nz</a></p> <p>Hours: from 5.00pm to 8.00am Monday to Friday, weekends and public holidays, social workers will only assess emergency situations. But you are encouraged to call if you're unsure.</p> <p>If your enquiry is not about a child but relates to the Oranga Tamariki organisation e.g. policy, procedures, finance, training etc. you can still call our main line <b>0508 326 459</b> or email <a href="mailto:enquiry@ot.govt.nz">enquiry@ot.govt.nz</a></p>
<b>Netsafe</b>	<p>You can contact Netsafe for free and confidential help or advice about online challenges like bullying, abuse, scams, security and other online issues.</p> <p>Freephone: 0508 NETSAFE (0508 638 723)</p> <p>Email: <a href="mailto:help@netsafe.org.nz">help@netsafe.org.nz</a> Complete an online contact form Text "Netsafe" to 4282</p> <p>Netsafe's contact centre is available to help from 8.00am - 8.00pm Monday to Friday and 9.00am to 5.00pm on weekends</p>
<b>Parent Help</b>	<p>The Child Abuse Prevention Parent Helpline is the only nationwide parenting helpline in New Zealand that is available seven days a week.</p> <p>They have no time limit on calls and their friendly telephone support workers are able to offer not only immediate help but also information, referral, and on-going support to those affected by child abuse, concerned about the welfare of a child or needing family or parenting support.</p> <p>Call 0800 568 856.</p>

### Other organisations providing training and advice include:

<b>Child Matters</b>	<p>National Office</p> <p>Postal Address: PO Box 679, Hamilton 3240</p> <p>Physical Address: 480 Anglesea Street, Hamilton 3204</p> <p>General Enquiries:</p> <p>Phone: 07 838 3370</p> <p>Fax: 07 838 9950</p> <p>Email: <a href="mailto:info@childmatters.co.nz">info@childmatters.co.nz</a></p>
<b>Safeguarding Children</b>	<p>Email: <a href="mailto:office@safeguardingchildren.org.nz">office@safeguardingchildren.org.nz</a></p> <p>Address: 18 Nile Street, Nelson 7010</p> <p>Phone: 027 772 4469</p>



**Appendix 1: Code of Conduct – Accredited Coaches**

<p><b>1. RESPECT THE RIGHTS, DIGNITY AND WORTH OF EVERY INDIVIDUAL ATHLETE AS A HUMAN BEING</b></p>	<ul style="list-style-type: none"> <li>▪ Treat everyone equally regardless of sex, disability, ethnic origin or religion</li> <li>▪ Respect the talent, developmental stage and goals of each athlete in order to help each athlete reach their full potential</li> </ul>
<p><b>2. MAINTAIN HIGH STANDARDS OF INTEGRITY</b></p>	<ul style="list-style-type: none"> <li>▪ Operate within the rules of your sport and in the spirit of fair play, while encouraging your athletes to do the same</li> <li>▪ Advocate a sporting environment free of drugs and other performance enhancing substances within the guidelines of the New Zealand Sports Drug Agency and the World Anti-Doping Code</li> <li>▪ Do not disclose any confidential information relating to athletes without their written prior consent.</li> </ul>
<p><b>3. BE A POSITIVE ROLE MODEL FOR YOUR SPORT AND ATHLETES AN ACT IN A WAY THAT PROJECTS A POSITIVE IMAGE OF COACHING</b></p>	<ul style="list-style-type: none"> <li>▪ All athletes are deserving of equal attention and opportunities</li> <li>▪ Ensure the athlete’s time spent with you is a positive experience</li> <li>▪ Be fair, considerate and honest with athletes</li> <li>▪ Encourage and promote a healthy lifestyle – refrain from smoking and drinking alcohol around athletes</li> </ul>
<p><b>4. PROFESSIONAL RESPONSIBILITIES</b></p>	<ul style="list-style-type: none"> <li>▪ Display high standards in your language, manner, punctuality, preparation and presentation</li> <li>▪ Display control, courtesy, respect, honesty, dignity and professionalism to all involved within the sphere of sport - this includes opponents, coaches, officials, administrators, the media, parents and spectators</li> <li>▪ Encourage your athletes to demonstrate the same qualities</li> <li>▪ Be professional and accept responsibility for your actions</li> <li>▪ You should not only refrain from initiating a sexual relationship with an athlete, but should also discourage any attempt by an athlete to initiate a sexual relationship with you, explaining the ethical basis of your refusal</li> <li>▪ Accurately represent personal coaching qualifications, experience, competence and affiliations</li> <li>▪ Refrain from criticism of other coaches and athletes</li> </ul>
<p><b>5. MAKE A COMMITMENT TO PROVIDING A QUALITY SERVICE TO YOUR ATHLETES</b></p>	<ul style="list-style-type: none"> <li>▪ Seek continual improvement through ongoing coach education, and other personal and professional development opportunities</li> <li>▪ Provide athletes with planned and structured training programmes appropriate to their needs and goals</li> <li>▪ Seek advice and assistance from professionals when additional expertise is required</li> <li>▪ Maintain appropriate records</li> </ul>



<p><b>6</b></p> <p><b>PROVIDE A SAFE ENVIRONMENT FOR TRAINING AND COMPETITION</b></p> <p>.</p>	<ul style="list-style-type: none"> <li>▪ Adopt appropriate risk management strategies to ensure that the training and/or competition environment is safe</li> <li>▪ Ensure equipment and facilities meet safety standards</li> <li>▪ Ensure equipment, rules, training and the environment are appropriate for the age, physical and emotional maturity, experience and ability of the athletes</li> <li>▪ Show concern and caution toward sick and injured athletes</li> <li>▪ Allow further participation in training and competition only when appropriate</li> <li>▪ Encourage athletes to seek medical advice when required</li> <li>▪ Provide a modified training program where appropriate</li> <li>▪ Maintain the same interest and support toward sick and injured athletes as you would to healthy athletes</li> </ul>
<p><b>7</b></p> <p><b>PROTECT YOUR ATHLETES FROM ANY FORM OF PERSONAL ABUSE</b></p> <p>.</p>	<ul style="list-style-type: none"> <li>▪ Refrain from any form of verbal, physical and emotional abuse towards your athletes</li> <li>▪ Refrain from any form of sexual and racial harassment, whether verbal or physical</li> <li>▪ Do not harass, abuse or discriminate against athletes on the basis of their sex, marital status, sexual orientation, religious ethical beliefs, race, colour, ethnic origins, employment status, disability or distinguishing characteristics</li> <li>▪ Any physical contact with athletes should be appropriate to the situation and necessary for the athlete's skill development</li> <li>▪ Be alert to any forms of abuse directed towards athletes from other sources while in their care</li> </ul>

**COACHES SHOULD:**

- *Be treated with respect and openness*
- *Have access to self-improvement opportunities*
- *Be matched with a level of coaching appropriate to their ability*



## Appendix 2: Code of Conduct – Technical Officials

### OBJECTIVES

- A. To state plainly the way in which Tri NZ Technical Officials are expected to conduct themselves as national and international representatives, aligned with the ITU Officiating Principles, and the consequences of any breach of the expected standards of behaviour.
- B. To ensure that Tri NZ Technical Officials are aware of the standards expected and the consequences of breaching those standards.
- C. To deal with any grievances arising from any direction given to an athlete by the Tri NZ Technical Official

### GENERAL

This Code of Conduct is to be followed on all occasions and in all places inside and outside New Zealand where the Technical Official could be considered to be a representative of Tri NZ and includes:

- D. Definitions
  - (a) Tri NZ Technical Official: officiates at a Tri NZ/ITU sanctioned or endorsed event, key role being to ensure a safe and fair event including upholding the rules of competition
  - (b) Tri NZ Technical Delegate: selected by the advisory group at the start of each season and assigned to an event, leads the Technical Officials at the event and is the key liaison point with event organisers and Tri NZ
  - (c) Tri NZ Technical Advisory Group (TAG): a group of representatives selected by Tri NZ to oversee the technical programme including allocations, rules etc.
- E. The venue of competition which means the course, surrounds and structures of the place where the Technical Official is officiating;
- F. Any accommodation provided during the period of officiating;
- G. The duration of all travel associated with officiating.

### ITU OFFICIATING PRINCIPLES

- H. By accepting a TO assignment, the TO agrees to the following
  - (a) Operate within the rules and spirit of our sport, promoting fair play over winning at any cost
  - (b) Encourage and support opportunities for people to learn appropriate behaviour and skills
  - (c) Support opportunities for participation in all aspects of our sport
  - (d) Treat each person as an individual
  - (e) Display control and courtesy to all involved with the sport
  - (f) Respect the rights and worth of every person regardless of their gender, ability, cultural background or religion
  - (g) Respect the decisions of officials, coaches and administrators in the conduct of the sport



- (h) Wherever practical avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with people under the age of 18 years
- (i) Adopt appropriate and responsible behaviour in all interactions
- (j) Adopt responsible behaviour in relation to alcohol and other drugs
- (k) Act with integrity and objectivity, and accept responsibility for your decisions and actions
- (l) Ensure your decisions and actions contribute to a safe environment
- (m) Ensure your decisions and actions contribute to a harassment free environment
- (n) Do not tolerate harmful or abusive behaviour
- (o) Place the safety and welfare of the athletes above all else
- (p) Be consistent and impartial when making decisions - Avoid the potential for a conflict of interest to arise. Where such potential exists (eg a family member racing in an event) ensure that the Technical Delegate or Race Referee are aware of this<sup>1</sup>
- (q) Address unsportsmanlike behaviour and promote respect for all people

#### **PROCESS TO FOLLOW IN A BREACH OF CODE OF CONDUCT**

- I. The Technical Delegate at the event where the breach has occurred is to in the first instance let the official know that a breach has occurred and that it will be escalated to the Technical Advisory Group (always including the Tri NZ Technical and Events Advisor).
  - (a) If the Technical Delegate is the subject of the breach, then this is to be escalated directly to TAG
  - (b) If Tri NZ is made aware of a breach directly then this must be channelled through the Tri NZ Technical and Events advisor to the TAG
  
- J. If the Technical Advisory Group, having heard any explanation that the Technical Official concerned may proffer, is satisfied that the Technical Official is in breach of this Code of Conduct, the Technical Advisory Group may withdraw that Technical Official from further officiation responsibilities or certain roles for a determined period of time depending on severity of breach.
  - (a) Any unresolved breaches reported to TAG are to be escalated to the Tri NZ Community Director
  - (b) The Tri NZ board must approve any action regarding suspension or expulsion of the technical official in question
  
- K. Any Technical Official who is dissatisfied with any action of the Technical Advisory Group in relation to this Code of Conduct may require Tri NZ (Community Manager) to inquire into the conduct in question of the Technical Official and the actions of the Technical Advisory Group regarding it.



### Appendix 3: Relevant Policies

<b>TRIATHLON NEW ZEALAND INCORPORATED CHILD PROTECTION POLICY</b>
<p><b>Introduction:</b> The Children, Young Persons, and their Families Act 1989 (Part two) focuses on care and protection of children and young persons. This policy focuses specifically on behaviour protocol of Tri NZ staff, accredited coaches, affiliated clubs, and registered coach groups (TRI NZ Groups), what to keep in mind when working with children, as well as protocols for reporting suspected child abuse for those working directly with children.</p>
<p><b>Purpose and overview:</b> This policy aims to create clear guidelines for working with children. It encompasses general child protection clauses as well as General behaviour and Physical Contact Code of Conduct and the correct protocol for responding to suspicions of child abuse.</p>
<p><b>Relevance:</b> This policy applies primarily to those working with children, but is also applicable to all interactions with children when working or volunteering for Triathlon NZ.</p> <ol style="list-style-type: none"><li>1. All <b>those</b> representing Tri NZ Groups working directly with children will be subject to a police check prior to commencing activities with Tri NZ. Police Vetting will require them to complete the consent section of the electronic police vetting form.<ol style="list-style-type: none"><li>a) This will be given to all prospective staff when they are interviewed and police checks will be completed prior to an offer of employment depending on processing time</li><li>b) Police checks will also be completed for Tri NZ accredited coaches, affiliated clubs, and registered coach groups.</li></ol></li><li>2. All Tri NZ Groups working directly with children will collaborate in recognising and responding to suspected child abuse. This will include signs of potential abuse, being aware of the procedures to follow if confronted with allegations or evidence of child abuse and knowing the roles of agencies involved in child abuse preventions.</li><li>3. Tri NZ Groups should avoid being alone with a child when performing operations related to their role with Tri NZ. To avoid this during such things as programme delivery and events, at least one other representative, parent, teacher, or child must be present. If a situation arises where a child could be left alone with one person, then another person is required to stay behind and assist.<ol style="list-style-type: none"><li>a) Exception: during events exceptions to this rule may occur. For example, there may not be anyone around when a lost child approaches. In these instances, the person approached and child should return to a public setting as soon as possible.</li></ol></li><li>4. Volunteers and students working for Tri NZ Groups will be well supervised and visible when interacting with children.</li><li>5. Any member of a Tri NZ Group suspected of abusive behaviour will be removed from contact with children until the matter is investigated by the appropriate authorities.</li><li>6. Any person who believes that a child or young person has been, or is likely to be, harmed (whether physically, emotionally, or sexually), ill-treated, abused, neglected, or deprived should follow the “Responding to Suspicions of Child Abuse for those working directly with children” protocol below.</li></ol>



7. Children under 16 volunteering at an event can only do so if accompanied by an adult who is considered a parent or guardian of the child. This adult is responsible for the child at the event. It is the Tri NZ Group's responsibility to ensure the child's role on the day is with their adult guardian. When a group of children volunteer, Tri NZ Groups will aim to have a ratio of one guardian to every five children.
8. Children under the age of 18 travelling to compete or train or are within a camp environment, that are accompanied by a single adult must provide written permission from the parent or guardian prior to participation.

**Those representing Tri NZ Group's must abide by the General Behaviour and Physical Contact Code of Conduct, they:**

1. are expected to be supportive, non-abusive and to present themselves as a positive role model.
2. may not smoke in front of children, or in the vicinity of activity sessions or events.
3. should avoid being alone with a child when working at a Triathlon event or programme.
4. Must maintain confidentiality at all times.
5. Should not have unsupervised children present when they use toilet or bathroom facilities
6. Should avoid "adult topics" of conversation within earshot of children.
7. Should maintain a professional relationship with families with respect to confidentiality, objectivity and conflict of interest.
8. Must avoid inappropriate physical contact regardless of situation and the child's culture and nature.
9. Must respond in a suitable manner when any child initiates physical contact or seeks affection, reassurance or comfort.
10. Should not initiate any touching in order to gratify adult's needs. It is not appropriate to force any form of unwanted affection or touching on a child. Children should not be asked to take care of adult physical or emotional needs.

**Guidelines for Child Specific Programmes (e.g. Junior coaching programmes or Community Sport working closely with children or students):**

1. Must be aware of where all children are at all times.
2. Should ensure untrained volunteers and visitors are never alone with a child or group of children
3. When based at a school there should always be a teacher present whenever possible. At the least, two children must be present.

**Responding to Suspicions of Child Abuse for those working directly with children:**

1. Believe the child. Do not investigate the child yourself. Do not question or counsel the alleged offender. Do not make decisions alone.
2. Record observations and incidents when a child tells you a safety issue and report this directly to the child(ren)'s teacher or other representative. Unless requested by the teacher/representative in charge you do not need to follow anything else up, as it is expected that teachers/representatives will follow their protocols.

If your suspicions have not been confirmed as serious, continue to monitor the situation when working with the child(ren) and feed all information back to the teacher/representative.



**TRIATHLON NEW ZEALAND INCORPORATED  
POLICE VETTING POLICY AND PROCEDURE**

**Definitions:**

**'CEO'** means the chief executive officer of Tri NZ from time to time and if a CEO is not appointed, the chairman of the Board.

**'Board'** means the board of Tri NZ from time to time.

**'Community Manager'** means the community manager of Tri NZ from time to time and if a community manager is not appointed, the CEO.

**'Police'** means the New Zealand Police

**'Police Vetting Check'** means a search conducted by the New Zealand Police (or overseas equivalent) on a Relevant Individual's criminal record.

**'Police Vetting Report'** means the information gathered from the New Zealand Police (or overseas equivalent) from a Police Vetting Check.

**'Police Vetting Review Panel'** means a panel of two Board members and one Board appointed independent person set up for the purpose of reviewing the suitability of a Relevant Individual whose Police Vetting Report has returned "with results".

**'Policy'** means this Triathlon New Zealand Police Vetting Policy and Procedure.

**'Relevant Individual'** means the relevant person (falling within Section 2) whose application is being considered by Tri NZ and to which this Policy applies.

**'Tri NZ'** means Triathlon New Zealand.

**Policy:**

To contribute to a safe and secure triathlon environment, Tri NZ require the following individuals who have applied for a position with Tri NZ to be subject to Police Vetting Checks:

- All coaches who have applied for an accredited status with Tri NZ;
- All coaches who have applied to participate in Tri NZ's High Performance coaching programme;
- All applicants for a Tri NZ employment position;
- All applicants for a Board position;
- All applicants for a Tri NZ contracting role, if it is determined by the CEO that a Police Vetting Check is appropriate; and
- All applicants for a volunteering role, if it is determined by the CEO that a Police Vetting Check is appropriate.
- This vetting is valid for two consecutive years, at the start of every third year thereafter, they must re-submit to the vetting process.

**Procedure:**

**1. Vetting Checks**

Tri NZ qualify as an 'approved agency' by the Police. This entitles Tri NZ to request a Police Vetting Check to be carried out on any individual associated, or applying to be associated, with Tri NZ. The Community Manager will be responsible for organising Police Vetting Checks.

A Police Vetting Report provides information regarding any convictions, dates of those convictions, types of offences and the sentence imposed. A Police Vetting Report will also advise whether the Police recommend that an individual does not have access to children, young people or vulnerable members of society due to behaviours of a violent or sexual nature (that may not, for whatever reason, have resulted in a conviction).



Tri NZ will require each Relevant Individual to undergo a Police Vetting Check in respect of that Relevant Individual as a condition to his or her application to Tri NZ being considered.

Tri NZ may require the equivalent of a Police Vetting Check/Police Vetting Report from any other country where the Relevant Individual has resided.

## **2. Authorisation Required**

Tri NZ will require each Relevant Individual to authorise Tri NZ to request a Police Vetting Check and a Police Vetting Report by completing an official 'Consent to Disclose Information' form.

If the Relevant Individual does not authorise Tri NZ to obtain a Police Vetting Check, Tri NZ will reject the relevant application.

## **3. Vetting Results – “No Result”**

Where the Relevant Individual's Police Vetting Report returns as “no result”, the application and/or engagement may proceed to be considered by Tri NZ.

## **4. Vetting Results – “With Results”**

Where the Relevant Individual's Police Vetting Report returns “with results”, a Police Vetting Review Panel will be established within 10 days of receipt by the CEO of the Police Vetting Report to assess the suitability of the Relevant Individual to be involved with Tri NZ (the “Decision”) and their application will be placed on hold pending the Decision.

The Police Vetting Review Panel may request Tri NZ and/or the Relevant Individual to provide such additional information as it considers necessary for consideration of the Relevant Individual's application.

When making the Decision, the Police Vetting Review Panel may, but is in no way limited to, consider the following:

- Whether the offence is listed as one of the Specified Offences in Schedule 2 of the Vulnerable Children Act 2014;
- The nature of the offence and relevance to involvement with Tri NZ;
- The length of time since the crime was committed;
- Age and maturity of the Relevant Individual now as compared to when the crime was committed;
- Any pattern of offending;
- The nature of the role for which the Relevant Individual has applied and any risk mitigation proposals that have been provided to the Police Vetting Review Panel; and
- Whether or not there is any risk of harm to any individual associated with Tri NZ.

The Police Vetting Review Panel must make its Decision (and notify it to the CEO in writing) within 10 days of being provided with the relevant Police Vetting Report and any other information that it has requested. In making its Decision, the Police Vetting Review Panel may decide:

- that the information provided about the Relevant Individual in the Police Vetting Report is not serious enough to preclude the Relevant Individual from involvement in Tri NZ or that an appropriate risk mitigation strategy has been put in place to mitigate any risks associated with the Relevant Individual's involvement in Tri NZ, in which case the Relevant Individual's application will be cleared for continued consideration by Tri NZ;



- that the Relevant Individual is suitable for involvement with Tri NZ provided that certain conditions are met in which case it may impose any conditions that it believes are appropriate and a risk mitigation framework must be developed between the CEO, affected partners and individuals and the Relevant Individual and approved by the Police Vetting Review Panel before the Relevant Individual's application can be cleared for continued consideration by Tri NZ; or
- that the Relevant Individual is unsuitable for involvement with Tri NZ, in which case the Relevant Individual's application will not be further considered by Tri NZ and any application process will be discontinued.

#### **5. Additional Vetting**

Tri NZ may make it a condition of an appointment of a contracting role, a volunteer role, a coaching accreditation, a High Performance coaching role or a Board position that Relevant Individuals must:

- inform the CEO if they are convicted of a crime within their period of contract, volunteering or engagement; and/or
- agree to Tri NZ undertaking Police Vetting Checks at any time it considers appropriate, and if the subsequent Police Vetting Report shows a previously undisclosed incident or behaviour relevant to this Policy, the future of the Relevant Individual's continued involvement with Tri NZ will be reviewed in accordance with clauses 3.1 – 3.5, and, if appropriate, may be terminated.

#### **6. Disclosures**

Tri NZ may disclose the contents of a Police Vetting Report to the Police Vetting Review Panel and any other Tri NZ employee, Board member, volunteer or contractor as necessary for the consideration and processing of the relevant application (Appropriate Persons) and reserves the right to disclose the results of a "with result" Police Vetting Report to third parties if it considers that the Relevant Individual poses a risk to the triathlon community.

Where Tri NZ considers that no threat exists, it will endeavour to keep the specifics of the report or criminal record confidential and consent will be sought from the Relevant Individual before discussing the specifics of the Police Vetting Report with third parties other than Appropriate Persons.



**TRIATHLON NEW ZEALAND INCORPORATED  
COMPLAINTS HANDLING PROCESS POLICY**

**Scope:**

This policy applies to all members of Triathlon NZ including board members, staff, contractors, coaches, athletes, officials, administrators, volunteers and parents (“Triathlon NZ community”).

**Purpose:**

The purpose of this policy is to outline the process for identifying and resolving complaints received by Triathlon NZ and preventing any harassment that might occur within the Triathlon NZ community.

Why do we need a complaints policy? Triathlon NZ recognises that within its community it has:

- a significant proportion of vulnerable people (children and juniors)
- a broad range of people from different backgrounds, locations, levels of experience, and age, and;
- a potential power imbalance between coaches/administrators/officials and athletes.

**The Process:**

Persons who have a complaint within the Triathlon NZ community are encouraged to follow the guidelines for resolving complaints as follows.

**1. Initial self help**

If the complainant feels confident enough to do so, self-help means communicating to the alleged offender the behavior of concern, how it’s perceived and how it’s affecting them. This can help particularly if the alleged offender hasn’t thought through their behavior, isn’t aware that it’s unacceptable or unwanted, or isn’t aware of the consequences. It can be useful to have a third party present to help with confidence or to keep the conversation on track. All discussions should be confidential.

**2. Raising a concern**

The second option is also informal. It is up to the person affected to decide what’s most useful, but it may simply involve getting advice from an independent person from a Club or Triathlon NZ. The independent person can assist with self-help suggestions, or talk through options before deciding whether or not to make a formal complaint. The affected person may also ask the independent person to talk to the alleged offender on their behalf. If this occurs, the affected person’s confidentiality will be completely protected unless they consent to disclosing it.

**3. Formal complaint – Triathlon NZ process**

If the affected person wants to make a formal complaint, this must be made in writing to Triathlon NZ. Any formal complaint will need to provide reasonable details as to the nature of the complaint as well as the time and place it occurred. A Club who receives a formal complaint must immediately refer it to the CEO of Triathlon NZ, and ensure that it is kept confidential.



Triathlon NZ is responsible for investigating and resolving the complaint in accordance with its disciplinary processes. This may involve meeting with the complainant in order to better understand the nature of the complaint. Triathlon NZ will notify the alleged offender about the nature of the complaint and give the alleged offender a fair opportunity to respond and to be heard. Triathlon NZ will hear and determine an allegation under this policy by applying natural justice including;

- a) Giving notice of the complaint and/or the information received including any charges against them as well as the potential consequences for the alleged offender;
  - b) Giving the alleged offender an opportunity to explain or deny the complaint;
  - c) Giving the alleged offender a timely hearing before fair and impartial hearing body.
- Penalties may be imposed where any person in the Triathlon NZ community is found to have committed harassment.

If Triathlon NZ recommends that mediation is appropriate, then the mediation and mediator must be agreed to by both parties. Mediation will be confidential and without prejudice to any other remedies available to those involved. The aim of mediation is to reach agreement, resolve the problem, and ensure the conduct is not repeated.

#### **4. Formal process – Human Rights Act/ Police**

In addition to the processes specified above, any person may choose to make a complaint to the Human Rights Commissioner and/or the Police.

#### **Investigations and resolution:**

Any formal complaint under this policy will be treated in confidence but must be made in the manner and form set out below. Triathlon NZ will not investigate anonymous complaints. If Triathlon NZ determines that the complaint is a minor infraction it may lead to a reprimand and warning.

If Triathlon NZ determines that the complaint is series or it is the second complaint against a member, this will amount to a major infraction and will initiate the Triathlon NZ disciplinary process. If given a warning, this will include the corrective action required, the period within which it applies, and the consequences for failure to take the corrective action or any further breach.

#### **Responsibilities:**

All members of the Triathlon NZ community (including administrators, athletes, coaches, officials and parents) need to:

- a) Avoid behaviours which may be perceived by others as harassment or abuse, and
- b) Raise complaints about any perceived concerns. Persons who do have a complaint need to first initiate the self-help steps described below, and where possible, try to resolve their concerns before making a formal complaint.

Coaches and Officials need to:

- a) Comply with the Coaches or Officials Code of Conduct (as applicable) and
- b) Ensure that athletes are aware of their rights and expectations under this policy.



Clubs need to:

- a) Promptly inform Triathlon NZ if they receive a formal complaint; and, if so
- b) Consult with Triathlon NZ to develop a strategy for investigation and response, and
- c) Ensure the confidentiality of the parties involved.

Triathlon NZ needs to:

- a) Provide an impartial process for dealing with complaints
- b) Assist in the resolution of formal complaints made under this policy, applying the principles of natural justice and procedural fairness
- c) Respond to complaints in a timely manner, ensuring the CEO and Board are notified about all formal complaints in a prompt and timely manner
- d) Ensure the confidentiality of the parties involved in accordance with this policy
- e) Protect the integrity and self-esteem of the individuals involved, and
- f) Provide training to Clubs on how to deal effectively with behavior perceived as harassment



## TRIATHLON NEW ZEALAND INCORPORATED TRANSGENDER POLICY

### **Introduction and Policy Statement:**

Triathlon New Zealand (“Tri NZ”) has developed a policy in respect of transgender people, which includes those who are transsexual and transgender, in all aspects of triathlon (athletes, employees, coaches, officials, volunteers and spectators).

In this policy, the term “transgender” is used as an umbrella term, which includes transsexual and transgender people. For the avoidance of doubt, the definition of “transgender” in this policy is “any person whose gender identity does not match their physical body and proposes to undergo, is already undergoing, or has undergone ‘gender reassignment’, that is a permanent change of gender role, which may or may not be facilitated by medical treatment such as hormones or surgery”. For the purposes of this policy, “transgender” does not include cross-dressers or transvestites, nor is it the same as sexual orientation.

Tri NZ will promote a zero-tolerance approach to transphobia, which includes discriminatory language or behaviour directed towards anyone who comes under the umbrella term of ‘transgender’. Additionally, it may be towards a transgender person’s friend or supporter, or anyone that may be perceived to be transgender (whether they are transgender or not).

The behaviour may include a reluctance or refusal to provide access to services to the same extent as that provided for a non-transgender person. Tri NZ and its members will ensure that any unacceptable behaviour and language is tackled effectively and appropriately with sanctions and/or educational programmes implemented to ensure compliance and the creation of a safe, inclusive and welcoming environment for transgender people.

The following points are considered good practice for all Tri NZ and it’s members:

- a) Treating transgender individuals with dignity and respect.
- b) Explaining Tri NZ’s policy and procedure and asking the individual’s view on how to proceed.
- c) Providing contact details for a Tri NZ contact.
- d) Respecting the private and confidential nature of the individual’s situation.
- e) Agreeing with the individual what information is to be shared with others and, if this is necessary, how it should be shared. In general, no information should be shared by any representative of Tri NZ unless they have express permission from the individual. Thereafter, the sharing of information should be conducted in accordance with Tri NZ policy and the applicable laws of New Zealand.
- f) Asking the individual what communal changing facilities they would prefer to use (in absence of private cubicles). This will depend on whether the individual has transitioned or is in the process of transitioning and whether they have undergone any gender reassignment surgery.
- g) It may be the most appropriate option to use private cubicles in the toilets appropriate to their full time gender role, or that they should arrive changed and ready to participate, to avoid any misunderstanding should they still have secondary sex characteristics of their former gender. In line with good safeguarding practice, Tri NZ recommends that transgender adults do not use the same changing facilities as children under the age of 18 unless there are separate cubicles.
- h) Encourage the individual to feedback any inappropriate language or behaviour from other individuals so that it can be dealt with.



- i) Ensure a Code of Conduct is publicised indicating Tri-NZ’s zero-tolerance policy towards all bullying/harassment of transgender characteristics.

**Transgender People Competing:**

Tri NZ and its members must not restrict the participation of a transgender person in competitive sport unless this is strictly necessary to uphold fair or safe competition; any other restriction would amount to direct discrimination.

Transgender people should be treated as belonging to the sex in which they present (as opposed to the biological sex they were born with) unless this might give the transsexual person an unfair advantage or would be a risk to the safety of competitors. Any negative effect of restricting the participation of transsexual people must be mitigated as far as possible to permit as much inclusion as is fair and safe.

**International Competitions**

Tri NZ has adopted the International Olympic Committee (“IOC”) guidelines with regards to transsexual athletes and their status in international competitions. The relevant guidelines being:

*“The IOC Consensus Meeting agreed the following guidelines to be taken into account by sports organisations when determining eligibility to compete in male and female competition:*

1. *Those who transition from female to male are eligible to compete in the male category without restriction.*
2. *Those who transition from male to female are eligible to compete in the female category under the following conditions:*
  - 2.1. *The athlete has declared that her gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years.*
  - 2.2. *The athlete must demonstrate that her total testosterone level in serum has been below 10 nmol/L for at least 12 months prior to her first competition (with the requirement for any longer period to be based on a confidential case-by-case evaluation, considering whether or not 12 months is a sufficient length of time to minimize any advantage in women’s competition).”*

**Domestic Competitions**

At a domestic level, Tri NZ has adopted a similar policy to the IOC guidelines:

Affirmed Gender	Status in Domestic Competition
Any transgender male (female-to-male transgender person)	May compete in his affirmed gender in any male or mixed-sex domestic competition.
Transgender woman over 16 and post-puberty (male-to-female transgender person)	May compete in her affirmed gender in female or mixed-sex domestic competition by providing evidence that her hormone therapy has brought her blood-measured testosterone levels within the range of the affirmed gender (below 10 nmol/L); <b>OR</b> She may compete in any male or mixed-sex competition if she has not started treatment.
Transgender girl – under 16 and post-puberty (male-to-female transgender person)	May compete in her affirmed gender in any female or mixed-sex domestic competitions subject to an individual case-by-case review, if required, undertaken by Tri NZ; <b>OR</b> She may compete in any male or mixed-sex competition if she has not started hormone treatment.
Transgender girl – pre-puberty (male-to-female transgender person)	May compete in her affirmed gender in any female or mixed-sex domestic competition subject to confirmation of her stage of pubertal development.



For the time being, the designated point of contact at Tri NZ for all enquires relating to the participation of transgender people in triathlon is the CEO who will liaise with Tri NZ's medical advisor.

**Transgender people as spectators**

Spectators may themselves be transgender and may be subjected to transphobic comments from others around them. Transphobic language and behaviour can be reported either directly to the club officers or race officials. In the same way that racist or homophobic language and behaviour is challenged, it is vital that coaches and staff respond to transphobic language and behaviour whenever it happens and take all reasonable steps to resolve the situation safely and effectively.

Transphobic comments from spectators may also be directed at triathletes, whether they are transgender or not. Whenever this language is used it creates a hostile environment and must be addressed. Witnesses are encouraged to report instances of such phobia to club officials or to the CEO.

**Transgender people as Tri NZ employees**

Tri NZ will not discriminate against transgender people in any aspect of their employment and will endeavour to ensure that the culture of the workplace is supportive and welcoming throughout the transitioning process or as a transgender person.

Tri NZ is fully supportive of and intends to follow guidance provided by Employment New Zealand (the relevant extracts of which can be found [here](#) and [here](#)).



## Appendix 4: NZSC School Sport NZ Charter

### CHARTER ON THE BROADCAST AND SPONSORSHIP OF SECONDARY SCHOOL SPORT

#### Introduction

The purpose of this Charter is to help protect and support the health, wellbeing, and development of secondary school students in New Zealand sport. It sets out agreed standards and principles for the broadcast and sponsorship of the secondary school sport events that are part of the New Zealand Sport Collective (NZSC).

It is important to note that NZSC has no remit over school sport broadcast or sponsorship outside the sporting events it works with. For a list of all rights holders please visit [www.nzsportcollective.co.nz](http://www.nzsportcollective.co.nz).

For many years, broadcast and sponsorship of secondary school sporting events have been taking place across a wide range of sports and schools. However, there has been no agreed guiding standard or set of principles across the sector. From November 2019, 51+ Secondary School events from 45+ sports joined together under a single umbrella in order to achieve better outcomes (such as this Charter) than could be achieved individually.

By working collectively, this structure provides a unique opportunity to positively influence the broadcast and sponsorship environment and promote the needs and wellbeing of secondary schools and their students.

This Charter is aimed at enabling NSOs, Event Organisers, Broadcasters, Schools and Sponsors to understand and/or adhere to the standards, processes and safeguards in place to help protect students who participate in the secondary school sporting events the NZSC works with.

#### Adopted by:

- **New Zealand Sport Collective:** Representing 55+ National Sport Organisations and other rightsholders, many of whom run Secondary School Sport events.
- **National Sports Organisations:** The governing bodies for their respective sports in New Zealand.
- **Production companies:** The live stream and video production companies producing video content for broadcast.
- **Broadcaster:** The broadcaster providing a broadcast platform for the content produced.

#### Other Parties Consulted

In addition to the parties adopting this charter, the following parties were consulted and provided feedback: School Sport NZ, Sport NZ, Drug Free Sport NZ, and the Advisory Group.

#### There are four sections to this document

1. Statement of values.
2. Guidelines for the broadcast of secondary school students competing in events that are part of the NZSC structure.
3. Guidelines for the sponsorship of secondary school sport via the New Zealand Sport Collective.
4. Complaints and review processes.



### 1. STATEMENT OF VALUES

- Students’ enjoyment and positive experiences in sport are the number one priority in all matters relating to sponsorship and broadcast.
- Secondary School Sport is about celebrating all sports, genders, groups, and schools equally and does not have a focus on winning only.
- Promoting equality, inclusivity and participation for all school students across New Zealand.
- NZSC supports and endorses the current School Sport NZ Integrity Framework, and has aligned with the principles and guidelines of Sport NZ’s ‘Keep up with the play’ and ‘Balance is Better’ initiatives, positive parental behaviour and support, and will make every effort to align any sponsorship and broadcast messaging to those same values.

### 2. GUIDELINES FOR THE BROADCAST OF NZSC MEMBER- RUN SECONDARY SCHOOL SPORT EVENTS

#### Valuing lifelong participation and engagement in sport

<b>Principle/Standard:</b> Support positive, equitable opportunities for students to engage with their sport.	<b>Accountability:</b> NZSC, NSO
---	----------------------------------

Encourage the focus of Secondary School sport within NZSC member-run secondary school sport events to be framed around celebrating values, health and wellbeing, and other wider benefits that come from sport (vs. only on winning). This theme to go through all aspects of broadcast and production.

**Reference doc:**

- [Balance is Better \(Sport NZ\)](#)
- [Keep up with the play \(Sport NZ\)](#)

#### Promoting equitable coverage in sport

<b>Principle/Standard:</b> Support positive, equitable opportunities for all students to engage with their sport.	<b>Accountability:</b> NZSC, NSO
---	----------------------------------

NZSC will work with NSOs and our other partners towards representative coverage of all groups. This work may include initiatives such as:

1. Broadcast coverage to include a range of levels of teams/individuals (age 15 and over) from as wide a representation of New Zealand schools as possible
2. A commitment to matching teams as evenly as possible so that broadcast events are not embarrassing for either team/competitor
3. Proportionate focus on each gender relative to participation.
4. Encourage and support sports to give as many schools and students the opportunity to be seen as possible (equity of coverage).

**Reference doc:** N/A



Consent to being filmed and broadcast at an NZSC member-run secondary school sport event	
<b>Principle/Standard:</b> No secondary school student or school will be featured/focused on in an event broadcast if they do not wish to be.	<b>Accountability:</b> All Signatories
<ol style="list-style-type: none"> <li>1. NSOs and/or Event Organisers will agree to a templated opt out process for their event at the time of sanctioning by School Sport NZ.</li> <li>2. School Principals will be given the opportunity to request that specific students/teams are opted out of broadcast via event entry processes and/or earlier event-related communications.</li> <li>3. Should a student or team have reservations about being broadcast, the Principal can raise this with the NSO/Event Organiser in confidence. The NSO/Event Organiser will work with School Sport NZ and NZSC to:               <ul style="list-style-type: none"> <li>- Answer questions and provide information to help schools feel comfortable with the broadcast if possible; and/or</li> <li>- Work through any mitigations required to address those concerns, which may include making best efforts that the student or team will not be featured/focused on in the broadcast; or</li> <li>- If the above is not possible, the specific event/match will not be broadcast.</li> </ul> </li> </ol>	
<b>Reference doc:</b> <ul style="list-style-type: none"> <li>• School Sport NZ event sanctioning form</li> <li>• NSO Event Entry form</li> </ul>	
Age of students broadcast	
<b>Principle/Standard:</b> Broadcast will focus on ages 15 and over at NZSC member-run secondary school sport events.	<b>Accountability:</b> All Signatories
<ol style="list-style-type: none"> <li>1. NZSC will communicate with NSOs/Event Organisers during the planning process to ensure they fully understand this broadcast requirement.</li> <li>2. NZSC will work with the Live Stream Production company and Event Organisers during the planning process to ensure the competition and broadcast is structured so that athletes aged 15 and over will be focused on during the broadcast.</li> <li>3. NZSC will support NSOs/Event Organisers to communicate this broadcast restriction to their participants/stakeholders.</li> <li>4. Where U15 students are competing in an Open (or equivalent) age grade, NZSC will work with NSOs/Event Organisers to support those students as appropriate.</li> </ol>	
<b>Reference doc:</b> N/A	



Commentary	
<b>Principle/Standard:</b> Enable sports to gain visibility without placing undue pressure on athletes by celebrating sport rather than focusing on winners.	<b>Accountability:</b> All Signatories
<ol style="list-style-type: none"> <li>1. NZSC will communicate with NSOs/Event Organisers/Broadcaster during the planning process to ensure commentators have been made aware of the commentary requirements.</li> <li>2. All commentators will be briefed by the NSO/Event Organiser.</li> <li>3. Commentary should always be positive and supportive. No negative comments will be made about students competing</li> <li>4. The highest consideration will be given to the students' wellbeing, and recognition of how they might feel hearing any comments.</li> <li>5. Commentators will not focus on information that might place unnecessary pressure on students i.e. "This girl will be the next superstar".</li> <li>6. Commentary will have a strong focus on values and sportsmanship i.e. acknowledging values such as fair play as much as performance outcomes.</li> <li>7. Commentary will respect coaches and officials, as well as students.</li> </ol>	
<b>Reference doc:</b> <ul style="list-style-type: none"> <li>• Commentator briefing (in development)</li> <li>• <a href="#">Balance is Better (Sport NZ)</a></li> <li>• <a href="#">Keep up with the play (Sport NZ)</a></li> </ul>	
Athlete Interviews	
<b>Principle/Standard:</b> Celebrating sport rather than focusing on winners.	<b>Accountability:</b> All Signatories
<ol style="list-style-type: none"> <li>1. NZSC will work with NSOs/Event Organisers to ensure MCs/interviewers are briefed in accordance with the requirements in this Charter.</li> <li>2. Where practical, interviews will be organised with athletes as early as possible.</li> <li>3. Team managers (or equivalent) will be briefed in advance on the types of questions that students may be asked and students should be briefed on these questions by their Team Managers to they have the opportunity to talk it through if they wish.</li> <li>4. Prior to being interviewed for the broadcast, student athletes will be asked for their permission e.g. "there is no obligation at all, but would you like to do an interview".</li> <li>5. Interview questions should have an equal focus on values vs winning.</li> </ol>	
<b>Reference doc:</b> <ul style="list-style-type: none"> <li>• Interviewer briefing (in development)</li> </ul>	



**Broadcasting procedure when there is an embarrassing incident or a major injury on the field.**

**Principle/Standard:** Supporting the safety and protection of students in a broadcast environment.

**Accountability:** All Signatories

1. Filming of an incident must cease if there is a major injury on field – the broadcaster/live streamer needs to direct the camera away or cut to an ‘ad break’.
2. No focus on anything particularly negative or embarrassing (i.e. a stalker, a brawl, poor coach/side-line behaviour).
3. This process will be clearly communicated to producers via the Production Guidelines, with follow-up conversations as necessary.
4. Broadcasts, and any issues, will be reviewed weekly by NZSC and the broadcaster (consulting with School Sport NZ as required), with feedback given to NSOs and production companies if necessary. Updates made to the Production Guidelines where required.

**Reference doc:** Production Guidelines (a technical document outlining required production standards for broadcast)

**Moderation of online comments on Live Stream broadcast**

**Principle/Standard:** Supporting the safety and protection of students in a digital environment.

**Accountability:** All Signatories

1. All comments and community engagement on the live stream Channels, including Facebook page and Instagram account, will be monitored by the NZSC/broadcaster (not just during an event broadcast). This may include software in place to filter out inappropriate comments and blocking inappropriate usernames where required.
2. If there is a moderator available (via NSO, NZSC or the live stream company), comments will be available on the YouTube broadcast of an event.
3. If there is not a moderator available, comments on the YouTube page of the event live stream will be turned off. This will be decided in advance with the NSO/Event Organiser and communicated via their channels.
4. Moderators will be asked to adhere to the Moderation Guidelines available in the Production Guidelines.
5. Moderation of comments on NSO social media pages is the responsibility of that NSO.
6. It is acknowledged that it may not be possible to moderate comments on all social media outside the control of NSOs, Broadcaster, NZSC and Event Organisers.

**Reference doc:**

- Production Guidelines
- <https://www.netsafe.org.nz/youth-bullying/>



Integrity	
<b>Principle/Standard:</b> Integrity in sport is of the highest importance.	<b>Accountability:</b> NZSC
<ol style="list-style-type: none"> <li>1. The NZSC commits to continued awareness, promotion of and adherence to School Sport NZ's Integrity Framework, including the concepts of Honesty, Respect and Fair Play.</li> <li>2. As integrity in sport is a much wider issue than just the NZSC, alignment will be sought with key partners and accepted best practice, including alignment with Drug Free Sport NZ and Sport NZ's Integrity work, including the principles of 'Balance is Better' and 'Safe Sport'.</li> <li>3. NZSC channels, including the broadcast platform, may be utilised for ongoing education and promotion around integrity in sport where relevant.</li> </ol>	
<b>Reference doc:</b> <ul style="list-style-type: none"> <li>• <a href="#">School Sport NZ Integrity Framework</a></li> <li>• <a href="#">Drug Free Sport NZ Cleansport 101</a></li> </ul>	
Supporting the wider NSO community	
<b>Principle/Standard:</b> Supporting the safety and protection of referees, coaches etc in the broadcast and digital environment.	<b>Accountability:</b> NZSC
NZSC supports NSOs' own work to protect their members, including ongoing education on positive supporter behaviour that may be enabled via the NZSC channels.	
<b>Reference doc:</b> N/A	
Athlete poaching and professionalism	
<b>Principle/Standard:</b> Helping to minimise any risk around athlete poaching and professionalism in the context of broadcast.	<b>Accountability:</b> NZSC
<ol style="list-style-type: none"> <li>1. In the context of broadcast, NZSC will continue to support School Sport NZ's ongoing initiatives in this area and work with other partners where required.</li> <li>2. The NZSC channel may be utilised a single portal for key messages or content that may help to mitigate any negative activity.</li> </ol>	
<b>Reference doc:</b> N/A	



Early specialisation	
<b>Principle/Standard:</b> Supporting awareness around early specialisation.	<b>Accountability:</b> NZSC, NSO
<ol style="list-style-type: none"> <li>Broadcast will focus on ages 15 and over at NZSC member-run secondary school sport events.</li> <li>NZSC member-run secondary school sport events required to provide appropriate commentary that supports balance in sport.</li> <li>No broadcast of performance data (beyond simple timings/rankings) from student athletes participating.</li> <li>NZSC will pursue a partnership with Sport NZ to support campaigns such as 'Balance is Better' and 'Keep up with the play'.</li> </ol>	
<b>Reference doc:</b> <ul style="list-style-type: none"> <li><a href="#">Balance is Better (Sport NZ)</a></li> <li><a href="#">Keep up with the play (Sport NZ)</a></li> </ul>	

3. GUIDELINES FOR THE SPONSORSHIP OF SECONDARY SCHOOL SPORT VIA THE NEW ZEALAND SPORT COLLECTIVE	
Sponsorship	
<b>Principle/Standard:</b> Any Sponsors that are part of NZSC school sport events will support the themes in this charter.	<b>Accountability:</b> NZSC
<ol style="list-style-type: none"> <li>Sponsors will not be sought from sectors associated with harm to young people, for example alcohol, tobacco (including vaping), drug and 'unhealthy fast food' sectors.</li> <li>All Sponsors of this program will be approved by School Sport New Zealand (not to be unreasonably withheld).</li> <li>Sponsorship will be dealt with in a way that stakeholders are aware of the nature of the sponsorship and how it is assisting with the delivery and development of events. The Advisory Group of NZSC will have visibility into funding arrangements.</li> <li>Sponsors will be asked what they can do to help school sport directly. Where possible, sponsor activation and additional expenditure will be maximised to directly benefit schools and promote the key messages and goals of the NZSC and its stakeholders.</li> <li>All sponsors will be asked to make an additional contribution to schools in New Zealand to help remove barriers to participation in sport. For example, donating additional funds to schools or initiating/supporting programmes that will make an impact on sporting opportunities in schools.</li> <li>This Charter will be included in sponsor agreements to ensure understanding and alignment with these parameters.</li> <li>It should be noted that sponsorship of secondary school sport outside the NZSC (e.g. via schools or sports not part of the NZSC) is not covered in this Charter. Those entities may have their own policies in place and are not included for consideration in this document</li> </ol>	



Reference doc: N/A

#### **4. COMPLAINTS PROCESSES & REVIEW**

The protection, wellbeing and healthy development of sporting students continues to be a major priority for all parties. Key processes and procedures have been in place since the establishment of the NZSC, and we continue to evolve and develop as we work closely with our stakeholders. In that regard we welcome ongoing feedback on all aspects of the broadcasting and sponsorship of secondary school sport via NZSC and relevant NSOs.

##### **Advisory Group**

The Advisory Group has been established by NZSC to provide advice on the program, have visibility of NZSC's operations, report to key stakeholders, and to manage a complaints process in response to the principles set out in this Charter. It will include members from secondary school, athlete, and NSO backgrounds.

The inaugural members of the Advisory Group will include the following (with the remaining 2 members and student leadership group TBD):

- Peter Leggat: Former Chair of School Sport NZ, former Principal Onslow College.
- Bernice Mene: Former Silver Fern captain, former teacher and well connected in the education sector and governance roles. Will represent the athlete voice and connect to a student leadership group.
- Iain Potter: CEO, Basketball NZ.

##### **Complaints and dispute resolution**

A process will be developed by the Advisory Group to address complaints from those who believe there has been a behaviour inconsistent with this Charter. Any such process will respect, and be subject to, any existing complaints and dispute resolution processes of NSOs and/or School Sport NZ

##### **Review**

The arrangements in this Charter will be reviewed every year. It is intended to be a document that can respond to the ongoing needs of schools, students and NSOs as they evolve in the context of broadcast and sponsorship. This review will be led by the Advisory Group, in consultation with (and findings reported back to) the signatories and guiding parties to this Charter.



## **Appendix 5: RELEVANT LEGISLATION**

### ***Health and Safety in Employment Act 1992***

- This Act deals with the health and safety obligations of an employer to its employees. If a child is an employee of the sports club, the general health and safety obligations of employers under the Act will apply.
- There is also an obligation to ensure the safety of volunteers (some of whom may be children) while they undertake the work activity.
- Employers will be held vicariously liable to a third party of acts of its employees. For example, if an employee coach breached a sports club's duty of care to a child member, the club can be liable.

### ***Children, Young Persons and their Families Act 1989***

- The act deals with the responsibility for reporting likely or actual harm in the form of physical or sexual child abuse.
- Section 15 of the Act provides that:  
*Any person who believes that any child or young person has been, or is likely to be, harmed (whether physically, emotionally or sexually), ill-treated, abused, neglected or deprived may report the matter to Social Worker or a constable.*
- Section 16 of the Act provides protection for people who report ill treatment or neglect.  
*No civil, criminal, or disciplinary proceedings shall lie against any person in respect of the disclosure or supply, or the manner of the disclosure or supply, by that person pursuant to section 15 of information concerning a child or young person (whether or not that information also concerns any other person), unless the information was disclosed or supplied in bad faith.*

### ***Crimes Act 1961 – Protection of Children***

- The key purpose of this part of the Act is to ensure that children are adequately protected from assault, neglect and ill-treatment.
- It places greater responsibility on adults (parent or persons in place of a parent) who have actual care or charge of a child to take reasonable steps to protect that child from injury. While 'a person in place of a parent' is not defined in the Act, it appears possible that sports club personnel could at times be considered to be a 'person in place of a parent'. For example, when taking children away to an event or tournament.
- The Act also compels people who live with a child and those who are in frequent contact with children and know, or ought to know, that the child is at risk of death, grievous bodily harm or sexual assault to take reasonable steps to protect the child from that risk.



## ***Vulnerable Children's Legislation 2014***

### **What is involved in safety checking workers?**

Schools, Kura and their contracted providers must safety check all their children's workers before employment and update these every 3 years.

### **Children's workers are described as follows:**

- Core children's workers work alone with children, or have primary responsibility for, or control over, them.
- Non-core children's workers are workers who do or may have regular or overnight contact with children, without a parent or guardian being present.

### **The Vulnerable Children Act 2014 introduced:**

- more comprehensive safety checking for children's workers
- restrictions on people with certain criminal convictions being engaged or employed as core children's workers (unless they have an exemption).

[Children's worker safety checking](#) – Legislation website

### **Safety checking**

Safety checking is a careful process of gathering and assessing information. It includes:

- identity confirmation
- interviewing
- referee checking
- police vetting
- considering risk.

If a prospective employee is a teacher who holds a current practising certificate their police vet will have been done.

An urgent police vet is available in a critical or crisis.

### **For advice see:**

[Safety checking workers](#) – Ministry of Education

[Police vetting](#) – Ministry of Education

[Requirements for safety checks of children's workers](#) – Legislation website

### **Other relevant legislation includes:**

- Privacy Act 1993
- Human Rights Act 1993
- Smoke Free Environments Act 1990
- New Zealand Bill of Rights Act 1990
- Care of Children Act 2004

There are numerous pieces of legislation relating to the protection of children under 18 years that may impact on sport recreation providers.