



# WORK, HEALTH, SAFETY & EQUIPMENT POLICY

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## WORK, HEALTH, SAFETY AND EQUIPMENT POLICY

### 1. POSITION STATEMENT

- 1.1 Australasian Gymnastics and Dance Academy (AGDA) is a committed, competent and motivated organisation, serving the best interests of its Staff, Members, Visitors and State/National Associations and Networking Businesses. Therefore, Australasian Gymnastics and Dance Academy (AGDA) is committed to providing an safe environment for all Staff, Members and Visitors.
- 1.2 It is the Policy of the Academy to endorse and practice the provisions of the :-
  - Workplace Health & Safety Act 1995
  - Manual Tasks Involving the Handling of People Code of Practice 2001.
  - When enacted on 1<sup>st</sup> January 2012 the Work Health Safety Act 2011
  - and all other current relevant Legislation pertaining to occupational health and safety. In pursuing this Director shall provide and maintain as far as is practicable, for its employees, volunteers, trainees, and gymnasts, a working environment that is safe and without risks to health.
- 1.3 Australasian Gymnastics and Dance Academy (AGDA)'s Health, Safety and Equipment Policy are an essential part of our organisations proactive and preventative approach to Health and safety risks/hazards.
- 1.3.1 AGDA is committed to governing the purchase (acquisition), update and repair (Maintenance) and the actions for unsafe, damaged or aged equipment (replacement). Equipment procedures list the actions to be followed when applying the Health, Safety and Equipment Policy

### 2. PURPOSE

- 2.1 This Health, Safety and Equipment Policy aims to ensure our core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is able to have a working environment that is safe and without risks to health. This policy also ensures that everyone involved in our sport is aware of his or her legal rights and responsibilities.
- 2.2 The policy attachments provide the procedures that support our commitment to decreasing and minimising the risks to health from our sport. As part of this commitment, Australasian Gymnastics and Dance Academy (AGDA) will take disciplinary action against any person or organisation bound by this policy if they breach it.
- 2.3 This policy has been endorsed by the Australasian Gymnastics and Dance Academy (AGDA) Director and has been incorporated into our By-Laws. The policy will operate until replaced. This policy and/or its attachments may be amended from time to time by resolution of the Director's Policy & Planning. Copies of the policy and its attachments can be obtained from our website ([www.agymda.com.au](http://www.agymda.com.au)).

### **3. SCOPE**

- 3.1 This policy applies to the following, whether they are in a paid or unpaid/voluntary capacity:
- 3.1.1 Individuals sitting on boards, committees and sub-committees;
  - 3.1.2 Employees and volunteers;
  - 3.1.3 Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
  - 3.1.4 Coaches and assistant coaches;
  - 3.1.5 Athletes and players;
  - 3.1.6 Referees, umpires and other officials;
  - 3.1.7 Members, including life members;
  - 3.1.8 Member associations;
  - 3.1.9 Affiliated clubs and associated organisations;
  - 3.1.10 Peak associations and the national body;
  - 3.1.11 Any other person or organisation that is a member of or affiliated to Australasian Gymnastics and Dance Academy (AGDA);
  - 3.1.12 Parents, guardians, spectators and sponsors to the full extent that is possible.
- 3.2 This policy will continue to apply to a person even after they have stopped their association or employment with Australasian Gymnastics and Dance Academy (AGDA) if disciplinary action, relating to an allegation of lack of duty of care and/or neglect to maintain risk management procedures against that person, has commenced.

### **4. ROLES AND RESPONSIBILITIES**

#### **4.1 Code of Conduct**

Australasian Gymnastics and Dance Academy (AGDA) requires every individual and organisation bound by this policy to:

- 4.1.1 Always place the safety and welfare of all individuals above other considerations;
- 4.1.2 Comply with Australasian Gymnastics and Dance Academy (AGDA)'s constitution, rules, policies and procedures. Operate within the rules and spirit of the sport;
- 4.1.3 Comply with all relevant Australian laws (Federal and State), particularly Workplace Health and Safety Act 1995, Manual Tasks Involving Handling of People Code of Practice 2001 and when enacted 1<sup>st</sup> January 2012 the Work Health Safety Act 2011, and all other current relevant Legislation pertaining to occupational health and safety. In pursuing this Director shall provide and maintain as far as is practicable, for its employees, volunteers, trainees, and gymnasts, a working environment that is safe and without risks to health.
- 4.1.4 Be responsible and accountable for their conduct; and
- 4.1.5 Abide by the relevant Role-Specific Codes of Conduct outlined in Appendix B of this policy.

- 4.1.6 Identification of unsafe or damaged equipment is supported by an equipment safety checklist, which creates awareness of what to look for in the condition of AGDA's equipment. To maintain consistency, the assessment criterion specifies what is deemed safe. Any, and all, unsafe equipment is reported as per the policy and procedures.

## **4.2 Organisational Responsibilities**

Australasian Gymnastics and Dance Academy (AGDA) and affiliated clubs must:

- 4.2.1 Adopt, implement and comply with this policy;
- 4.2.2 Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- 4.2.3 Promote appropriate standards of conduct at all times;
- 4.2.4 Train all Staff on the Health and Safety practices and Manual Handling, Emergency, Accident and Incident Procedures and all relevant Gymnastics First Things First, Risk Management and Equipment maintenance Procedures in Staff Training courses.
- 4.2.5 Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner; a
- 4.2.6 Apply this policy consistently without fear or favour;
- 4.2.7 Recognise and enforce any penalty imposed under this policy;
- 4.2.8 Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies;
- 4.2.9 Appoint or have access to appropriately trained people to receive and handle complaints and allegations Monitor and review this policy at least annually.
- 4.2.10 Train all staff in 'how to check equipment', 'how to report faulty equipment'.
- 4.2.11 Each Month perform an equipment and electrical safety audit via the equipment checklist.
- 4.2.12 Maintain all Emergency Equipment, signs and first aide kits.
- 4.2.13 Follow and complete the risk management and risk register process for all equipment.

## **4.3 Individual Responsibilities**

Individuals bound by this policy are responsible for:

- 4.3.1 Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- 4.3.2 Understanding the possible consequences of breaching this policy.
- 4.3.3 A staff member has a responsibility to report verbally or in writing (*Risk Data Sheet*), any problem or fault he/she is of the opinion may adversely affect personnel or visitors. Such notification shall be recorded in the *Risk Management Register*, acted upon (*Risk treatment Worksheet*) and rectified.
- 4.3.4 All incident and accident reports must be completed within 24hrs of the incident occurring.
- 4.3.5 All Staff must attend and abide by Health and Safety practices and Manual Handling, Emergency, Accident and Incident Procedures and

all relevant Gymnastics First Things First, Risk Management and Equipment maintenance Procedures in Staff Training courses and manuals.

## **5. Relevant policies**

Other relevant Australasian Gymnastics and Dance Academy (AGDA) policies can be found at: [www.gymqld.org.au](http://www.gymqld.org.au)

## **6. COMPLAINTS PROCEDURES**

### **6.1 Complaints**

- 6.1.1 Australasian Gymnastics and Dance Academy (AGDA) aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy.
- 6.1.2 A complaint should be reported to Australasian Gymnastics and Dance Academy (AGDA)'s Director in writing.
- 6.1.3 A complaint must be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the Director considers that the complaint falls outside the parameters of this policy and would be better dealt with another way.
- 6.1.4 All complaints will be dealt with promptly, seriously, sensitively and confidentially.
- 6.1.5 Our complaint procedures are outlined in Appendix A - Procedures.

### **6.2 Vexatious Complaints & Victimisation**

- 6.2.1 Australasian Gymnastics and Dance Academy (AGDA) aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the Director or other relevant person considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the Australasian Gymnastics and Dance Academy (AGDA) Management for appropriate action which may include disciplinary action against the complainant.
- 6.2.2 Australasian Gymnastics and Dance Academy (AGDA) will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to sort it out. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.

### **6.3 Mediation**

- 6.2.1 Australasian Gymnastics and Dance Academy (AGDA) aims to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint - the complainant and the person complained about (respondent) - may also seek the assistance of a neutral third person or a mediator. Lawyers are not able to negotiate on behalf of the complainant and/or respondent.



- 6.2.1 Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the Director will, in consultation with the complainant, arrange for a mediator to mediate the complaint. More information on the mediation process is outlined in Appendix A of this policy.

## 7. POLICY BREACHES

- 7.1 It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have:
- 7.1.1 Done anything contrary to this policy;
  - 7.1.2 Breached the Code of Conduct and/or Role-Specific Codes of Conduct, Workplace Health and Safety Act 1995 and/or AGDA Policies and Procedures and/or Risk Management Policies and Procedures;
  - 7.1.3 Brought the sport and or Australasian Gymnastics and Dance Academy (AGDA) into disrepute;
  - 7.1.4 Failed to follow Australasian Gymnastics and Dance Academy (AGDA) policies and procedures for the protection, safety and welfare of all;
  - 7.1.5 Disclosed to any unauthorised person or organisation any Australasian Gymnastics and Dance Academy (AGDA) information that is of a private, confidential or privileged nature;
  - 7.1.6 Made a complaint they **knew** to be untrue, vexatious, malicious or improper;
  - 7.1.7 Failed to comply with a penalty imposed after a finding that the individual or organisation has breached this policy;
  - 7.1.8 Failed to comply with a direction given to the individual or organisation during the discipline process.

## 8. FORMS OF DISCIPLINE

- 8.1 If an individual or organisation to which this policy applies breaches this policy, the Director is empowered to discipline members of the Association by one or more forms of discipline:
- 8.1.1 Reprimand;
  - 8.1.2 Written Warnings;
  - 8.1.3 Suspension; or
  - 8.1.4 Expulsion.
- 8.2 Any resolutions must be decided by the Director. As per the Appeal & Grievance Regulations.
- 8.3 Factors that will be considered before imposing discipline are covered in attachment A6 of this policy.

## 9. DEFINITIONS

This section sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words.

- 9.12 Affiliated club** means a club affiliated in accordance with Rule 7 of the Australasian Gymnastics and Dance Academy (AGDA) Constitution.

- 7.1 *Any club engaged in Gymsport activities being incorporated under the Corporations Law or the Act, or trading as a business registered in the State of Queensland may apply to join the Association as an affiliated club.*
- 7.2 *Schools conducting Gymsport programs may affiliate in one of two categories:*
- 7.2.1 *As any other club; or*
- 7.2.2 *As a “school club”, where the requirements of Rule 7 are modified. This category is only available to schools whose Gymsport program is entirely within the school curriculum. Athletes of a school club competing in Association sanctioned competitions outside the school curriculum must hold membership with a club affiliated as per Rule 7.1 or 7.2.1, and be registered with the Association.*
- 9.1.1 Duty of Care
- 9.1.2 Neglect (e.g. failing to provide a safe training environment or to protect a person from danger or foreseeable risk of harm or injury).
- 9.12 Complaint** means a complaint made under Section 6 of this policy.
- 9.12 Complainant** means the person making a complaint.
- 9.12 Conciliation** means compulsory meeting between the complainant and the respondent which is conducted by a mediator with the aim of reaching an agreement.
- 9.12 Disclosure** refers in this instance to when a child or young person advises that they are being or have been subjected to abuse or harm. Disclosure can also occur if another person discloses an incident of harm to a child or young person.
- 9.11 Junior** means a person under the age of eighteen (18) years who is participating in a Australasian Gymnastics and Dance Academy (AGDA) activity.
- 9.12 Mediator** means a person appointed to mediate complaints made under this policy. It is preferable that the mediator has relevant skills, qualifications and/or training in mediation.
- 9.13 Natural justice** incorporates the following principles:
- 9.14.1 a person who is the subject of a complaint must be fully informed of the allegations against them
  - 9.14.2 a person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence
  - 9.14.3 all parties need to be heard and all relevant submissions considered
  - 9.14.4 irrelevant matters should not be taken into account
  - 9.14.5 no person may judge their own case
  - 9.14.6 the decision maker/s must be unbiased, fair and just
  - 9.14.7 the penalties imposed must not outweigh the ‘crime’
- 9.15 Policy and this policy** mean this Health, Safety and Equipment Policy.



- 9.16 Respondent** means the person who is being complained about.
- 9.17 Role-specific codes of conduct** means standards of conduct required of certain roles (e.g. coaches).
- 9.18 Victimisation** means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under government legislation (e.g. anti-discrimination) or under this policy, or for supporting another person to make a complaint.
- 9.22 Vilification** involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of discrimination. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.
- 9.23 Young People/person** means people in the 13 – 18 year age group.

## **10. CONFIDENTIALITY AND REPORTING**

- 10.1** Australasian Gymnastics and Dance Academy (AGDA)'s administration responsible for implementing this Policy will keep confidential, in-line with their Privacy Policy, the names and details relating to complaints, unless disclosure is:
- 10.1.1 Necessary as part of the corrective process or
  - 10.1.2 Required by law.

## **11. ADDITIONS AND CHANGES TO POLICY**

- 11.1** Recommended changes to this policy may be submitted to Australasian Gymnastics and Dance Academy (AGDA) for consideration. Management will review the recommendations and forward to the Director who have the authority to make any changes to this policy.
- 11.2** Should changes be accepted the policy would be updated, dated, and circulated to members.
- 11.3** In addition, Australasian Gymnastics and Dance Academy (AGDA) is committed to ensuring all policies are up to date and reflect current times, therefore, reviews are undertaken annually. The next review date is detailed in the header of this policy.