



## **ARCHERY NZ (INC) MEMBER PROTECTION POLICY**

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# PREFACE

Archery NZ Inc is committed to providing a safe environment free from harassment and abuse.

We believe that anyone who works for us (paid or voluntary), represents Archery NZ, engages in Archery NZ activities, is a stakeholder, supporter, supplier or everyone with whom we deal, has the right to be treated with respect and dignity.

Archery NZ Inc will not tolerate harassment or abuse in our organisation or from the members of our organisation.

We will take all complaints seriously, and will ensure they are dealt with promptly, seriously, sensitively and above all confidentially.

Disciplinary action can and will be taken against a person or persons who are found in breach of the Archery NZ Inc Member Protection policy.

Archery NZ Inc has developed a comprehensive Member Protection policy and complaints procedures.

Copies of these policies can be obtained from the Archery NZ Secretary at [secretary@archerynz.co.nz](mailto:secretary@archerynz.co.nz) or you can download a copy from our web site [www.archerynz.co.nz](http://www.archerynz.co.nz)

All persons whatever their age, culture, disability, gender, language, racial origin, religious belief or sexual identity, have the right to participate in the sport or archery in a fair and open manner without any form of discrimination, harassment or abuse.

# **PART A: ARCHERY NZ MEMBER PROTECTION POLICY**

## **1. Introduction Archery NZ**

Archery NZ Inc is the recognised National controlling body for archery in New Zealand and represents the interests of its members to the NZOC, SportNZ, World Archery, Paralympics NZ, Drug Free Sport NZ and other sporting organisations.

### **Our Mission Statement:**

*“To enable & celebrate a community of people of all ages & abilities who participate in Archery”*- See more at: <http://www.archerynz.co.nz>

## **2. Purpose of this policy**

The Archery NZ Member Protection Policy assists Archery NZ to uphold our core values and provide a safe, fair and inclusive environment for everyone involved in our sport. It also ensures that everyone involved in our sport is aware of their legal and ethical rights and responsibilities as well as the standards of behaviour required of our members. Everyone has the right to be treated with respect and dignity and to be protected from all forms of discrimination, harassment or abuse.

The policy and its attachments outline the practical steps Archery NZ will take to eliminate discrimination, harassment, abuse and any other form of inappropriate behaviour from our sport. If these policies are breached by any person or organisation bound by these policies, Archery NZ may take disciplinary action and has the right to refer serious breaches to the Human Rights Commission or the NZ Police.

These policies have been endorsed by the Archery NZ Board. The Policies come into effect on the 5<sup>th</sup> November 2015 and will operate until replaced.

## **3. Who is bound by these policies**

These policies apply to the following people whether paid or unpaid/voluntary

- 3.1 Persons appointed or elected to the Board of Archery NZ, Commissions, Committees, Sub-committees or Working Groups.
- 3.2 Employees of Archery NZ
- 3.3 Support personnel, including Team Managers, Team Coaches and other Team Officials
- 3.4 Coaches and Instructors
- 3.5 Athletes
- 3.6 Judges and other Officials
- 3.7 Members and Affiliates as defined in the Archery NZ Constitution and Rules
- 3.8 Athletes, Coaches, Officials and other personnel participating in Tournaments, events and activities, including camps and training sessions, held or sanctioned by Archery NZ or Member Associations or Clubs.

These policies will continue to apply to a person, persons or club even after they have stopped their association or employment with Archery NZ, if disciplinary action against That person, persons or club had commenced prior to their disassociation.

# Position statements

## 1. Child, Youth and Vulnerable Adults protection

Archery NZ is committed to the safety and well-being of all children, young people and vulnerable adults who participate in our sport, access Archery NZ or its member's services. We will act at all times to ensure that a child, youth or vulnerable adult's safe environment is maintained.

All those people working with children, young people and vulnerable adults have a duty of care to safeguard and promote that persons' welfare and safety. We encourage the active participation of staff, members and volunteers in providing a safe, fair and inclusive environment for all participants.

The Children, Youth and Vulnerable Adults Protection Policy is based on the following three fundamental principles:

1. Whilst dealing with children and vulnerable adults, their welfare is paramount. See the definition in Children, Young Persons, and Their Families Act 1989 (updated 06 December 2014)
2. All children, youth and vulnerable adults, whatever their age, culture, ability, gender, language, racial origin, religious beliefs or sexual identity have the right to protection from discrimination or abuse.
3. The rights, dignity and worth of every child, youth and vulnerable adult should always be respected.

## RESPONSIBILITIES

Archery NZ and its members ensure that the following is adhered to:

1. Maintain a Duty of Care to protect children, youth and vulnerable adults from discrimination and/or abuse.
2. All incidents or suspicions, poor practice and allegations should be taken seriously and reported swiftly and appropriately.
3. Confidentiality should be upheld in line with the Privacy Act 1993, and the Human Rights Act, 1993.
4. It is the responsibility of the appropriate authorities to determine whether or not abuse has taken place but it is everyone's responsibility to report any concerns.
5. To take all reasonable steps to promote safe practice and to protect children, young people & vulnerable adults from harm, abuse and exploitation.

6. All adults who work with children, youth and vulnerable adults have a right to fair and just treatment whenever a concern is raised about them including their conduct towards others.

7. All Archery NZ Team Officials working with Youth & Senior Teams representing Archery NZ will be subject to Police Vetting as part of the recruitment process. If a criminal history report is obtained as part of a screening process, Archery NZ will handle this information confidentially and in accordance with the relevant legal requirements.

Any concerns regarding the welfare of children, youth and vulnerable adults should be reported to the Secretary Archery NZ [secretary@archerynz.co.nz](mailto:secretary@archerynz.co.nz), the Privacy Officer Archery NZ [privacyofficer@archerynz.co.nz](mailto:privacyofficer@archerynz.co.nz) or Youth Convenor Archery NZ [youth@archerynz.co.nz](mailto:youth@archerynz.co.nz)

Please note that The Coaching Commission have adopted the SportNZ Coaches code of Conduct. Archery NZ Accredited Coaches are bound by this code and concerns or complaints regarding Archery NZ accredited coaches can also be reported to [coaches@archerynz.co.nz](mailto:coaches@archerynz.co.nz).

***If you believe anyone is in immediate danger or in a life-threatening situation, Contact the Police immediately on 111.***

## **2. Taking Images of Children, Young people or Vulnerable Adults**

Images of children, young people or vulnerable adults can be used inappropriately or in some cases illegally.

Archery NZ requires that anyone engaged in the taking images of a minor or vulnerable adult must ensure that they have obtained appropriate permission and consent to do so.

## **3. Bullying**

Archery NZ does not tolerate the bullying of any member by another member. Bullying can take many forms, which can be categorised as:

- Physical, e.g. hitting, kicking, restraining, theft etc;
- Verbal, e.g. homophobic/racist remarks, threats, name calling;
- Emotional, e.g. isolating individuals from activities; Cyber-Bullying

Bullying may also include:

Other forms of violence including:

- Sexual;

- Sarcasm;
- Spreading rumours;
- Persistent teasing;
- Tormenting, ridiculing, humiliation;
- Racial taunts;
- Graffiti; gestures;
- Unwanted physical contact or abusive comments, possibly of a sexual nature

Any concerns regarding the welfare of children, youth and vulnerable adults should be reported to the Secretary Archery NZ [secretary@archerynz.co.nz](mailto:secretary@archerynz.co.nz) , the Privacy Officer Archery NZ [privacyofficer@archerynz.co.nz](mailto:privacyofficer@archerynz.co.nz) or Youth Convenor Archery NZ [youth@archerynz.co.nz](mailto:youth@archerynz.co.nz)

## 4. Cyber Bullying

Technologies and communication tools and platforms such as computers, smart phones, smart watches, tablets, social media, chat, text messaging, online forums and websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. Bullying can cause anxiety or distress to the person or person's family that is being targeted.

Examples of cyberbullying include intimidating, threatening, defaming, belittling or mocking text messages or emails, rumours sent by email or posted on social networking sites, and embarrassing pictures, videos, websites, impersonating (fake profiles), or disclosure of personal information without the persons consent.

Archery NZ will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

Any concerns regarding bullying should be reported to the Secretary Archery NZ [secretary@archerynz.co.nz](mailto:secretary@archerynz.co.nz) or the Privacy Officer Archery NZ [privacyofficer@archerynz.co.nz](mailto:privacyofficer@archerynz.co.nz)

Bullying is a criminal offence and occurrences may be referred to the NZ Police.

Archery NZ will also not tolerate false claims of bullying, harassment, abuse or discrimination and action may be taken against anyone who it is proven has made false claims.

## **5. Anti-discrimination and harassment**

Archery NZ aims to provide an environment where all those involved in our activities and events are treated with respect.

We recognise that people cannot participate, enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

We prohibit all forms of harassment, discrimination and bullying based on the personal characteristics listed in the “Definitions” set out in our Dictionary of Terms.

In most circumstances, this behaviour is against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, they may make an internal complaint. In some circumstances, they may also be able to make a complaint to an external organisation.

## **6. Gender Identity**

All people, regardless of their sexual orientation or gender identity have the same human rights and freedoms including freedom from discrimination.

All sexual and gender minorities in New Zealand have these rights under the Gender Recognition Act, Human Rights 2004. This includes people who identify as gay, lesbian, bisexual takataapui, intersex, transgender, transsexual, hinehi, hinehua, whakawahine, tangata ira tane, fa’afafine or fakaleiti.

The Act makes specific provision for sports organisations to prohibit or restrict a person whose gender has become the acquired gender under the Act from participating as competitors in an event or events involving a gender-affected sport. A sport is a gender-affected sport if the physical strength, stamina or physique of average persons of one gender would put them at a disadvantage to average persons of the other gender as competitors in events involving the sport.

Such prohibition or restrictions can only be made in order to secure fair competition or the safety of competitors at the event or events.

The International Olympic Committee updated their policy for the participation of transgender people in sports competitions (the “IOC Policy”).

As the National Governing Body for the sport of Archery in New Zealand, Archery NZ has adopted the IOC Policy in respect of participation in archery events at New Zealand & World Archery Major tournaments and at international level.

Archery NZ is committed to providing a safe and inclusive environment free from discrimination or abuse for all who participate in the sport of Archery. People who identify as transgender or transsexual or who are thought to be transgender or transsexual and those who identify with a gender that differs from the gender on their birth certificate should be safe from discrimination, harassment or abuse. Those going through gender transition deserve to be treated with sensitivity, respect and dignity.

The Archery NZ Gender Recognition Policy has been developed in accordance with the Gender Recognition Act 2004, the Human Rights Act (HRA) 1993 and the IOC Policy. It recognises the right of an individual who has undergone gender reassignment to participate in sport in their acquired gender whilst ensuring that such participation does not unfairly affect competition and does not affect the safety of fellow competitors.

### **GENDER RECOGNITION POLICY**

Archery NZ have adopted a version of the IOC guidelines for Transgender Athlete participation. The policy states that before puberty, trans boys can compete against boys, and trans girls can compete against girls.

After puberty, the following specifications are stated:

1. Those who identify as male or transition from female to male shall only be eligible to compete in the male category without restriction under the following conditions:
  - The athlete has declared in writing to Archery NZ that his gender identity is male.
  - Understand that if they are using testosterone to transition and intend to compete at National or International level a therapeutic exemption maybe required.

2. Those who transition from male to female are eligible to compete in the female category under the following conditions:

- The athlete has declared in writing to Archery NZ that her gender identity is female. The declaration cannot be changed, for sporting purposes, for a minimum of four years.
- 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.
- The athlete's total testosterone level in serum must remain below 10 nmol/L throughout the period of desired eligibility to compete in the female category.
- Compliance with these conditions may be monitored by testing. In the event of non-compliance, the athlete's eligibility for female competition will be suspended for 12 months.

#### **A. Definitions**

1. In this policy, the following expressions shall have the following meanings:

(a) “Domestic Competitions”

Means events at clubs and such as club shoots, RMT and other minor tournaments.

(b) ) “Major tournaments” Means events registered with Archery NZ and/or World Archery

Status in New Zealand or overseas.

(c) “Elite Competitions”

Means events selected by Archery NZ to train for, or compete as, an Archery NZ team member at international events.

- Once an individual has met all the above requirements their Archery NZ membership details will be changed to reflect their identified gender.
- All knowledge-based qualifications, such as those for coaching and judging, may be retained in the identified gender.
- All shooting awards may be gained in the identified gender notwithstanding the fact that equivalent awards have been gained in a previous gender

## **A. Privacy**

1. Archery NZ recommends that, where an individual or individuals contact an event organiser wishing to compete in competition under their acquired gender(s), the event organiser should work with the individual or individuals to accommodate their participation, whilst respecting their privacy at all times.

2. Archery NZ (and its officers and staff) and any organisers of Archery NZ event(s) shall not disclose any information obtained from an individual in accordance with this policy unless:

(a) The disclosure of that information does not enable the individual competitor to be identified;

(b) the individual competitor to whom the information relates has agreed to its disclosure; or

(c) it is under a legal duty to disclose the information.

3. Archery NZ (and its officers and staff) and any organisers of Archery NZ event(s) shall make reasonable efforts to provide suitable toilet/changing facilities for archers undergoing gender reassignment, taking into account their needs and those of other archers using those facilities. Where no suitable facilities exist, archers undergoing gender reassignment should be allowed to use existing or temporary disabled facilities.

## **B. Accommodations for travel.**

When possible, Archery NZ representative athletes traveling to competitions, training camps or other team travel situations should be assigned accommodations based on their gender identity, with more privacy provided, if possible, when requested.

## 7. Social Media

Archery NZ promotes responsible use of social media and requires its members, when posting about Archery NZ and its districts, clubs or members or posts that are district/club endorsed, promoted or conducted events or activities, to observe the following guidelines for responsible social media use.

Archery NZ requires members to take responsibility for their own words and for the comments allowed on their own pages, sites or forums.

Members should show courtesy and respect to others and must not use social media channels to abuse others, expose others to offensive or inappropriate content, or for any illegal purpose.

When using your own or Archery NZ social media channels, please ensure that you:

- protect your personal privacy and that of others by not including personal information about yourself or others in your posts to our social media channels (for example, email addresses, private addresses or phone numbers)
- represent your own views and not impersonate or falsely represent any other person
- are not abusive and do not harass or threaten others
- do not make defamatory or libellous comments
- do not use insulting, provocative or hateful language
- do not use obscene or offensive language
- do not post material to our social media channels that infringes the intellectual property rights of others
- do not post multiple versions of the same view to the our social media channels or make excessive postings on a particular issue
- do not promote commercial interests in your posts to Archery NZ social media channels
- do not include internet addresses or links to websites, or any email addresses in your post to Archery NZ social media channels.

Archery NZ encourages all members to “think before posting”.

Members should recognize that even if posting to a private section of a social networking site comments can appear in public areas through a variety of means and can easily be found. Members should avoid posting something they will regret now or later.

## 8. Alcohol-free shooting environment

Alcohol (**ethanol**) is prohibited In-Competition in Archery by World Archery. Detection will be conducted by analysis of breath and/or blood. The doping violation threshold is equivalent to a blood alcohol concentration of 0.10 g/L.

Even though WADA (World Anti-Doping Agency) withdrew alcohol as being a banned substance in many sports in 2018, World Archery is committed to maintaining a clean sport and that includes a ban on the use of alcohol in competition. The consumption of alcohol on the day of or the night prior to an event may put the athlete over the allowable limit;

Archery NZ has a “no alcohol consumption” policy for representative teams from the time of travelling to the event until the conclusion of the teams shooting.

### **Personal Responsibility.**

All athletes are ultimately responsible for what they consume or inhale. If you take any medication or supplements it is your responsibility to educate yourself as to their contents.

<http://drugfreesport.org.nz/>

<http://list.wada-ama.org/>

<http://rulebook.worldarchery.org/PDF/Official/2015-01-01/EN-Book6.pdf>

## **9. Responsible service and consumption of alcohol**

Archery NZ has a commitment to conducting or endorsing social events in a manner that promotes the responsible service of and consumption of alcohol. Archery NZ also recommends that affiliated member clubs follow strict guidelines regarding the service of and consumption of alcohol at club events.

For further information on being a responsible host please refer to:

<http://www.alcohol.org.nz/>

## **10. Smoke Free**

Archery NZ recognises and will enforce World Archery Non Smoking Policy at all tournaments and events. World Archery updated their policy to include the use of electronic cigarettes.

Accordingly, Archery NZ encourages all associated clubs and districts to adopt this policy or to develop their own policy and to enforce the policy at all activities, tournaments, events, functions and meetings.

This policy will apply to all members, coaches, judges, officials, volunteers and employees, visitors and members of the public.

All venues in particular indoor venues, food preparation and dining areas must be smoke free although designated outdoor smoking areas may be identified.

The selling of cigarettes or smoking related products (including vending machines) is not recommended. Sponsorship of any smoking or smoking related product is banned by World Archery.

## 11. Sexual Relationships

An intimate (sexual) relationship between a coach and athlete has the potential to be damaging even if it doesn't constitute harassment.

Athletes, coaches and sports administrators need to be aware of the potential problems that such a relationship can create for the coach, athlete, team members and the sports organisation.

- Not every intimate relationship between a coach/administrator/manager and athlete is of concern. Many club teams are coached by a member's husband, wife, partner, relative or friend.
- Relationships where there is a great disparity between a coach/administrator/manager and athlete in terms of authority, maturity, status and dependence have the potential to be harmful, even if the athlete has reached the legal age of consent.
- Factors to consider when assessing potential harm include:
  - the age of the athlete
  - the potential for 'grooming' or undue influence
  - differences in authority or status
  - patterns of inappropriate behaviour (e.g., has the coach/administrator/manager had previous relationships with athletes?)
  - the impact on the team and/or the club or district
  - possible impact on the sport's public image.

## 12. Complaint Procedures

Official complaints are handled by the "Complaints Committee" which is made up of Archery NZ and Independent members. Complaints are confidential and forwarded to the Complaints Committee via the National Secretary. Complaints should be forwarded to the National Secretary only, not the Archery NZ Board.

Please refer to the Archery NZ Administration Rules

## 13. Dictionary of Terms

This Dictionary sets out the meaning of words used in this policy and its attachments, without limiting the ordinary and natural meaning of the words. Further detail or definitions can be sourced from the relevant child protection authorities or equal opportunity and anti-discrimination commissions.

**Abuse** is a form of harassment and includes physical abuse, emotional abuse, sexual abuse, neglect and abuse of power. Examples of abusive behaviour include bullying, humiliation, verbal abuse and insults.

**Child or Youth** means a person who is under the age of 18

**Child abuse** involves conduct which puts a child at risk of harm and may include:

- **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)
- **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)
- **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)
- **neglect** (e.g. failing to give a child food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

**Complaint** means a complaint made verbally or in writing to Archery NZ

**Complainant** means the person making a complaint.

**Discrimination** occurs when someone is treated unfairly or less favourably than another person in the same or similar circumstances because of a particular personal characteristic. This is known as direct discrimination. Indirect discrimination occurs when a rule, policy or practice disadvantages one group of people in comparison with others, even though it appears to treat all people the same.

In New Zealand it is against the law to discriminate against someone because of their:

- age
- disability
- family/carer responsibilities
- gender identity/transgender status
- sexual orientation
- irrelevant medical record
- irrelevant criminal record
- political belief/activity
- pregnancy and breastfeeding
- race
- religious belief/activity
- sex or gender
- social origin;

**Harassment** is any type of behaviour that the other person does not want and is likely to make the person feel intimidated, insulted or humiliated. Unlawful harassment can target a person because of their race, sex, pregnancy, marital status, sexual orientation or some other personal characteristic protected by law (see the list under “Discrimination”).

Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. This policy also prohibits public acts that vilify people on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability (see also “Vilification”).

**Mediator** means an impartial person appointed to help those people involved in a complaint to talk through the issues and resolve the matter on mutually agreeable terms.

**Member** fully financial member of Archery NZ

**Natural justice** (or procedural fairness) requires that:

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

**Police check** means a national criminal history record check conducted as a pre-employment, pre-engagement or current employment background check on a person.

**Policy, and this policy** means this Member Protection Policy.

**Privacy Officer** means the person appointed by the Board of Archery NZ to oversee the privacy of the members of Archery NZ and the first point of contact for privacy queries and Police checks.

**Respondent** means the person whose behaviour is the subject of the complaint.

**Role-specific codes of conduct (or behaviour)** means standards of conduct required of people holding certain roles in our organisation (e.g. coaches, officials, umpires).

**Sexual harassment** means unwanted, unwelcome or uninvited behaviour of a sexual nature which could reasonably be anticipated to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

**Sexual offence** means a criminal offence involving sexual activity or acts of indecency. Because of differences under state and territory laws, this can include but is not limited to:

- rape
- indecent assault
- sexual assault
- assault with intent to have sexual intercourse
- incest
- sexual penetration of child under the age of 16
- indecent act with child under the age of 16
- sexual relationship with child under the age of 16
- sexual offences against people with impaired mental functioning
- abduction and detention
- procuring sexual penetration by threats or fraud
- procuring sexual penetration of child under the age of 16
- bestiality
- soliciting acts of sexual penetration or indecent acts
- promoting or engaging in acts of child prostitution
- obtaining benefits from child prostitution
- possession of child pornography
- publishing child pornography and indecent articles.

**Transgender** is a general term applied to individuals and behaviours that differ from the gender role commonly, but not always, assigned at birth. It does not imply any specific form of sexual orientation.

**Victimisation** means subjecting a person, or threatening to subject a person, to any unfair treatment because that person has or intends to pursue their right to make any complaint, including a complaint under government legislation (e.g. anti-discrimination) or under this policy, or for supporting another person to make complaint.

**Vilification** involves a person or an organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of people having any of the characteristics listed under the definition of "Discrimination".

*"This form will be held securely on file by the Privacy Officer of the organisation that the person works or volunteers with."*

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