



HEALTH AND SAFETY POLICY

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1. INTRODUCTION

The Waikato Lacrosse Association (WLA) is committed to providing a safe and enjoyable environment for everyone and particularly children who participate in the game of lacrosse in Waikato.

It must be free from harassment, discrimination and abuse for everyone and it will promote respectful and positive behaviour and values. This policy provides the code of conduct for players, managers, coaches and umpires which form the basis of appropriate and ethical behaviour which is expected, and required, of everyone who participates in the sport of lacrosse in Waikato.

This policy is an essential part of WLA's proactive and preventative approach to tackling inappropriate behaviour. The Waikato Lacrosse Association is committed to ensuring that everyone associated with the sport of lacrosse complies with the policy.

If the named person in this policy is not available to fulfil the role outlined the WLA may appoint someone to take the responsibilities of that role. This may be because no-one is appointed to the role, they aren't available to do the role or due to a conflict of interest.

2. SCOPE

WLA, all regional club, social, representative and school teams.

3. INJURY AND WELLBEING

3.1. Injury and Injury Prevention

Waikato Lacrosse takes injuries and injury prevention seriously. When planning all leagues, tournaments and training sessions the safety of those concerned should always be considered. All personnel involved in the organisation should take a proactive approach to injury prevention. The Health and Safety Officer is responsible for ensuring the following points are followed by those involved in the management of a league, tournament or training.

- a) Identify potential risks. Potential risks include, but are not limited to; Playing surface, weather conditions and availability of facilities.

b) Basic First Aid equipment and ice needs to be at all league games, tournaments and Waikato representative trainings. This can be designated to a coordinator, or individual participants. The designated person needs to be aware they are responsible for this. School and club teams are responsible for their own injury management at training.

In all instances when lacrosse is played with a solid lacrosse ball, eye protection must be worn. This may be women's goggles or a men's helmet. When a soft "mod-crosse" ball or tennis ball is used, eye protection is advised but not compulsory.

3.2. Injury Reporting

The Health and Safety Officer is responsible for ensuring league and tournament coordinators and managers of representative teams have copies of injury report forms and know how to fill this out. In the event of an injury, including accidents and injuries during league games, tournaments and Waikato team trainings, an injury report form must be filled out and sent to the Health and Safety Officer. League and tournament coordinators and team managers are responsible for ensuring the injury report form is filled out, but they do not have to fill out the form themselves. This form can be found as Appendix 3.

Any injuries will be reported on at the next board meeting and the board will determine if all risks were minimised or if further action needs to be taken to prevent future incidents.

4. MEMBER PROTECTION

4.1. Member Protection Document

The WLA takes member protection very seriously. We are committed to protecting the health and welfare of our members and in particular children, vulnerable adults and officials working with these groups. All staff must read the guidelines and sign the member protection document to confirm their understanding. The Health and Safety Officer is responsible for ensuring this document is signed. The Member Protection Document can be found as Appendix 2.

4.2. Background/Police Check

- a) The WLA will undertake background checks on staff appointed, or seeking appointment.
- b) The WLA may undertake background checks on volunteer staff for affiliated clubs or schools or for any role within Waikato Lacrosse that includes those roles who are likely to travel away with athletes under 18 years of age and to roles in which a person is likely to have unsupervised contact with players under 18 years of age.
- c) If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then the WLA will make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position. The WLA can decide to offer the person the position taking into account the result of the police check and any other information the WLA has available to it IF the WLA does not believe the person will pose a risk to the people they will be working with. Where it is not practical to complete the police check prior to the person commencing in the position, WLA will complete the check as soon as possible, and if necessary, act immediately on the outcome.
- d) WLA will protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.

- e) WLA will return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.

5. SMOKE-FREE ENVIRONMENT

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

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

6. INCIDENTS AND INAPPROPRIATE BEHAVIOUR

6.1. Incident Reporting

In the event of an incident, including foul play and inappropriate language and behaviour, during league games, tournaments and Waikato team trainings, an incident report form must be filled out and sent to the Health and Safety Officer. If the incident occurred during a game the officials on the field are responsible for filling in the incident report form. If the incident occurs at a Waikato team training the Manager of that team is responsible for filling out this form. If the Manager is not present they can delegate this task.

The incident report form needs to be sent within 48 hours of the incident. This form is Appendix 4.

6.2. Incident Process

- a) The Health and Safety Officer will investigate the incident as per the complaints and incidents procedure, and provide all details to the WLA Executive. For the purposes of the investigation, the complainant is the person who fills in the incident report form.
- b) The WLA Executive will convene a tribunal hearing panel.

7. COMPLAINTS

7.1. Complaints

The Waikato Lacrosse Association will deal with all complaints in a fair, timely and transparent manner. All complaints will be treated seriously. We will provide individuals with an informal and formal process to resolve the matter. We will maintain confidentiality where possible and as provided in this policy and seek to ensure that no one is victimised for making, supporting or providing information about a complaint. For those who feel they have been given an unfair consequence we also provide an appeals process. If someone wishes to complain about the behaviour of a member of Waikato Lacrosse they need to follow the Complaints and Incidents Process as outlined in Appendix 5, which details both the informal and formal approaches.

7.2. Handling Complaints

WLA aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of procedural fairness. Any person (a complainant) may report a complaint about a person, people or organisation bound by this policy (respondent) if they feel they have been discriminated against, harassed, bullied or there has been any other breach of this policy or the respondent has breached the relevant code of conduct.

In the first instance, complaints should be reported to any member of the WLA executive committee. If a complaint relates to behaviour or an incident that occurred at the club level, or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club if appropriate. A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the WLA executive member should consider whether that is an appropriate way to handle the particular complaint. For example, the law may require that the complaint/allegation be reported to an appropriate authority. All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our procedures for handling and resolving complaints are outlined in Attachment 6. Individuals and organisations may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

7.3. Vexatious Complaints and Victimisation

WLA aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against any person making a complaint. We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures may be undertaken in respect of a person who harasses or victimises another person for making a complaint or supporting another person's complaint. If at any point in the complaint handling process the WLA executive member considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or inappropriately intended to cause distress to the respondent, the matter may be referred in writing to the appropriately constituted Tribunal for review and appropriate action, including possible disciplinary action against the complainant.

7.4. Mediation

WLA aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action. Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before or after the investigation of a complaint. If a complainant wishes to resolve the complaint with the help of a mediator, the WLA executive member will, in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to participate in the mediation process. More information on the mediation process is outlined in Appendix 5.

8. POLICY BREACHES

8.1. What is a breach of this policy?

It is a breach of this policy for any person or organisation bound by this policy to do anything contrary to this policy, including but not limited to:

- a) breaching the codes of behaviour;
- b) failing to follow WLA policies (including this policy) and our procedures for the protection, safety and well-being of children;
- c) discriminating against, harassing or bullying (including cyber-bullying) any person;
- d) victimising another person for making or supporting a complaint;
- e) engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- f) verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- g) disclosing to any unauthorised person or organisation any WLA information that is of a private, confidential or privileged nature;
- h) making a complaint that they know to be untrue, vexatious, malicious or improper;
- i) failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy;
- j) failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

8.2. Disciplinary Measures

- a) WLA may impose disciplinary measures on an individual or organisation for a breach of this policy. Any disciplinary measure imposed will be:
 - i. fair and reasonable;
 - ii. applied consistent with any contractual and employment rules and requirements;
 - iii. be based on the evidence and information presented and the seriousness of the breach;
 - iv. be determined in accordance with our constituent documents, by-laws, this policy and/or the rules of the sport.
- b) If a finding is made that an individual has breached this policy, one or more of the following forms of discipline may be imposed by a Tribunal and/or the WLA executive;
 - i. a direction that the individual make a verbal and/or written apology;
 - ii. a written warning;
 - iii. a direction that the individual attend counselling to address their behaviour;
 - iv. a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by the WLA;
 - v. a demotion or transfer of the individual to another location, role or activity;
 - vi. a suspension of the individual's membership or participation or engagement in a role or activity;
 - vii. termination of the individual's membership, appointment or engagement;
 - viii. in the case of a coach or official, a direction that either the WLA or the relevant club/school stand down the coach or official for a period of time or permanently;
 - ix. a fine;
 - x. any other form of discipline that the Tribunal and/or WLA Executive considers appropriate.

- c) If a finding is made that a Member Organisation has breached this Health and Safety Policy, one or more of the following forms of discipline may be imposed by the Tribunal and/or the WLA Executive.
- i. a written warning;
 - ii. a fine;
 - iii. a direction that any rights, privileges and benefits provided to that organisation by the WLA be suspended for a specified period;
 - iv. a direction that any funding granted or given to it by the WLA cease from a specified date;
 - v. a direction that the WLA cease to sanction events held by or under the auspices of that organisation;
 - vi. a recommendation that its membership to the WLA be suspended or terminated in accordance with the relevant constitution or rules;
 - vii. any other form of discipline that the WLA considers reasonable and appropriate.

8.3. Factors to Consider

The form of discipline to be imposed on an individual or organisation will depend on factors, such as:

- a) the nature and seriousness of the breach;
- b) if the person knew, or should have known, that the behaviour was a breach of the policy;
- c) the person's level of contrition;
- d) the effect of the proposed disciplinary measures on the person, including any personal, professional or financial consequences;
- e) if there have been any relevant prior warnings or disciplinary action;
- f) the ability to enforce disciplinary measures if the person is a parent or spectator (even if they are bound by the policy);
- g) any other mitigating circumstances.

8.4. Tribunals

In accordance with WLA rules a Tribunal may be convened to hear a proceeding referred to it by a WLA executive member who has received a complaint due to the serious nature of the complaint, or because a resolution could not be found. A Tribunal will be convened for all serious incidents that occur. Our Tribunal procedure is outlined in Appendix 5. A respondent may lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in Appendix 5. Every organisation bound by this policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

8.5. Reporting Requirement and Documents/Forms

We will ensure that all the complaints we receive, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint. This information, and any additional records and notes, will be treated confidentially (subject to disclosure required by law or permitted under this policy) and stored in a secure place.

Appendix One

Code of Conduct

A. General Code of Conduct

The following is to be adhered to unconditionally as member of WLA, or an affiliated club or school, or a person required to comply with WLA's Health and Safety Policy that applies to all WLA competitions. The following requirements must be met in regard to your conduct during any activity held or sanctioned by WLA, or an affiliated club or school and in any role you hold within WLA, or an affiliated club or school:

1. Promote equal opportunity for all involved with Lacrosse
2. Conduct myself in a safe, responsible and inclusive manner
3. Respect the rights, dignity and worth of others.
4. Be fair, considerate and honest in all dealings with others.
5. Be professional in, and accept responsibility for, your actions.
6. Make a commitment to showcasing lacrosse as a quality sport that is inclusive and has family orientated values.
7. Do not use your involvement with WLA, an affiliated club or school to promote your own beliefs, behaviours or practices where these are inconsistent with those of WLA, an affiliated club or school.
8. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
9. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
10. Refrain from any form of harassment of others and any behaviour that may bring WLA, an affiliated club or school into disrepute.
11. Be aware of and comply with all WLA Policies, Regulations and Rules.
12. Understand the repercussions if you breach, or are aware of any breaches of, this code of conduct. This can be found in the Health and Safety Policy.

B. Coaches and Managers' Code of Conduct

In addition to WLA's General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by WLA, an affiliated club or school and in your role as a coach or manager appointed by WLA, or an affiliated club or school:

- 1. Respect the rights, dignity and worth of every individual athlete as a human being**
 - Treat everyone equally regardless of sex, disability, ethnic origin or religion.
 - Respect the talent, developmental stage and goals of each athlete in order to help each athlete reach their full potential.
 - Ensure that the tasks and/or training set are suitable for age, experience, ability, and physical and psychological conditions of the players.
- 2. Maintain high standards of integrity**
 - Operate within the rules of your sport and in the spirit of fairplay, while encouraging your athletes to do the same.
 - Advocate a sporting environment free of drugs and other performance enhancing substances within the guidelines of the New Zealand Sports Drug Agency.
 - Do not disclose any confidential information relating to athletes without written prior consent.
- 3. Be a positive role model for your sport and athletes and act in a way that projects a positive image of your work with the athletes**
 - All athletes are deserving of equal attention and opportunities.
 - Ensure the athlete's time spent with you is a positive experience.
 - Be fair, considerate and honest with athletes.
 - Encourage and promote a healthy lifestyle.
 - Ensure any physical contact with players is appropriate to the situation and necessary for the player's skill development.
- 4. Professional responsibilities**
 - Display high standards in your language, manner, punctuality, preparation and presentation.
 - 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.
 - Encourage your athletes to demonstrate the same qualities.
 - Be professional and accept responsibility for your actions.
 - You should not only refrain from initiating a 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.
 - Those already in a committed relationship commencing prior being selected as a coach or manager must declare such relationship at the time of application to ensure any conflicts of interest can be managed.
 - Accurately represent personal coaching qualifications, experience, competence and affiliations.
 - Refrain from criticism of other coaches.

C. Players' Code of Conduct

In addition to WLA's General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by WLA, or an affiliated club or school and in your role as a player/participant in any activity held by or under the auspices of WLA, or an affiliated club or school:

1. Represent the WLA, my region and my teammates in a positive manner at all times.
2. Respect the rights, dignity and worth of fellow players, coaches, officials and spectators by conducting yourself in a professional manner relating to language, temper and punctuality and maintaining high personal behaviour standards at all times.
3. Promote equal opportunity for my teammates and my opposition to participate and develop to their full potential.
4. Care for and respect the equipment provided to you as part of your program.
5. Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
6. At all times avoid intimate relationships with your coach.
7. Participate in all training sessions as reasonably determined by team staff.
8. Abide by the rules and respect the decision of the official.
9. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
10. Co-operate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.
11. Understand the repercussions if you breach, or are aware of any breaches of, this code of conduct. This can be found in the Health and Safety Policy.

D. Officials' Code of Conduct

In addition to WLA's General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by WLA, or an affiliated club or school and in your role as an official appointed by WLA, or an affiliated club or school:

1. Place the safety and welfare of the players/participants above all else.
2. Accept responsibility for all actions taken.
3. Be impartial.
4. Avoid any situation which may lead to a conflict of interest.
5. Be courteous, respectful and open to discussion and interaction.
6. Value the individual in sport.

E. Parent/Guardian Code of Conduct

As a parent/guardian of a player/participant in any activity held by or under the auspices of WLA, or an affiliated club or school, you must meet the following requirements in regard to your conduct during any such activity or event:

1. Respect the rights, dignity and worth of others.
2. Remember that your child participates in sport for their own enjoyment, not yours.
3. Focus on your child's efforts and performance rather than winning or losing.
4. Never ridicule or yell at your child and other children for making a mistake or losing a competition.
5. Show appreciation for good performance and skilful plays by all players (including opposing players).
6. Demonstrate a high degree of individual responsibility especially when dealing with or in the vicinity of persons under 18 years of age, as your words and actions are an example.
7. Respect officials' decisions and teach children to do likewise.
8. Do not physically or verbally abuse or harass anyone associated with the sport (player, coach, umpire and so on).
9. Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.
10. Be a positive role model.
11. Understand the repercussions if you breach, or are aware of any breaches of, this code of conduct. This can be found in the Health and Safety Policy.

F. Spectator Code of Conduct

As a spectator in any activity held by or under the auspices of WLA, or an affiliated club or school, you must meet the following requirements in regard to your conduct during any such activity or event:

1. Respect the decision of officials and teach others to do the same.
2. Never ridicule or scold a player for making a mistake. Positive comments are motivational.
3. Condemn the use of violence in any form, whether it is by other spectators, coaches, officials or players.
4. Show respect for your team's opponents. Without them there would be no game.
5. Do not use violence, harassment or abuse in any form (that is, do not use foul language, sledge or harass players, coaches, officials or other spectators).
6. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

Member Protection Declaration

All volunteer staff will be expected to act as positive ambassadors and spokespeople for the WLA and demonstrate a commitment to a long term athlete centred development philosophy.

Coaches and Managers Code of Conduct (Courtesy of SPARC)

1. Respect the rights, dignity and worth of every individual athlete as a human being

- Treat everyone equally regardless of sex, disability, ethnic origin or religion.
- Respect the talent, developmental stage and goals of each athlete in order to help each athlete reach their full potential.
- Ensure that the tasks and/or training set are suitable for age, experience, ability, and physical and psychological conditions of the players.

2. Maintain high standards of integrity

- Operate within the rules of your sport and in the spirit of fairplay, while encouraging your athletes to do the same.
- Advocate a sporting environment free of drugs and other performance enhancing substances within the guidelines of the New Zealand Sports Drug Agency.
- Do not disclose any confidential information relating to athletes without written prior consent.

3. Be a positive role model for your sport and athletes and act in a way that projects a positive image of your work with the athletes

- All athletes are deserving of equal attention and opportunities.
- Ensure the athlete's time spent with you is a positive experience.
- Be fair, considerate and honest with athletes.
- Encourage and promote a healthy lifestyle.
- Ensure any physical contact with players is appropriate to the situation and necessary for the player's skill development.

4. Professional responsibilities

- Display high standards in your language, manner, punctuality, preparation and presentation.
- 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.
- Encourage your athletes to demonstrate the same qualities.
- Be professional and accept responsibility for your actions.
- You should not only refrain from initiating a 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.
- Those already in a committed relationship commencing prior being selected as a coach or manager must declare such relationship at the time of application to ensure any conflicts of interest can be managed.
- Accurately represent personal coaching qualifications, experience, competence and affiliations.
- Refrain from criticism of other coaches.

Guidelines for Programme Staff

1. No 1 on 1 interaction with athletes in a closed off area
 - Always work with 2 or 3 players or have an 'observer' (staff member) present
2. No physical manipulation of athletes, without the athletes prior permission and a witness
 - Use other coaching techniques
 - Approved staff only to provide physio treatment
3. No One on One Interviews
 - Have witnesses
4. No regular texts, emails or social media communication to individual athletes
 - Always include others
5. Do not spend a disproportionate amount of time with 1 player
 - Spread your time among all players
6. For any team, where possible at least one of the appointed officials should be of the same gender as the team
7. Do not consume, or be under the influence of alcohol or illegal drugs while involved in team activities
 - Do not turn up to any training or game while under the influence of alcohol or drugs.
 - During a tournament alcohol may be consumed outside of team time and in the staff members own time as long as there is a designated team member responsible for the team.
 - Do not drink alcohol to excess in any situation when you are the staff member in charge of an under-age team.

REMEMBER - The intention of a behaviour or comment by the person giving it is not relevant. The behaviour or comment is to be considered from the point of view of the person receiving it.

WLA Junior Programme Recruiting Guidelines

All volunteer staff will be expected to conduct themselves in a professional manner and work in conjunction with other programme staff and athletes. To this end, recruiting athletes to school programmes while involved in WLA activities is unacceptable and is ground for dismissal from the programme. Any suggestions that a WLA coach has used their position to coerce an athlete to change schools may result in their dismissal from the programme.

Member Protection Declaration

- I confirm I am a volunteer invited to work with WLA programmes.
- I have read and understand the above information in relation to WLA member protection guidelines and understand my responsibilities and obligations under it and agree that WLA can undertake a background/police check before or during my appointment.
- I declare I am not a person prohibited under New Zealand law from working or seeking work with children.
- I acknowledge that if I contravene any of these guidelines I must inform the WLA. Failure to do so may result in my exclusion from WLA programmes and further action as deemed appropriate in accordance with the Health and Safety Policy.

Name: _____

Signature: _____

Date: _____

Appendix Three

WLA INJURY REPORT FORM

for LEAGUE COORDINATORS, TEAM COACHES, MANAGEMENT & REFEREES

All injuries that occur during league games and representative trainings, that require medical attention or result in lost game time extending past the game in which the injury was received, must be reported to the WLA H&S officer.

A: INJURED PERSON DETAILS

1. First Name: _____ 2. Surname: _____

3. Date of Birth: ___/___/_____ 4. Male/Female 5. Team: _____

6. League/Event _____ 7. Playing Position: _____

B: INJURY DETAILS

1. Date of Injury: ___/___/_____ 2. Time of Injury: ___:___ am/pm 3. Venue _____

4. Match/Training (please circle one)

5. Type of Injury	6. Site of Injury	7. Event Causing Injury	8. On-field Treatment Provider	9. Method of Leaving the Field	10. Please provide a brief description of how the injury occurred:-
Concussion Fracture Dislocation Serious Joint Sprain/strain Other (specify)	Head Neck Shoulder Back Arm Thigh/Hamstring Knee Lower Leg Other (specify)	Loose Ball Shot Running Body Check Slash Other (specify)	Doctor St Johns Team Official Referee Only Other (specify)	Ambulance Stretcher Carried Other (specify)	

How many players were involved in the incident? **1/2/more**

Was Foul Play involved? **Yes /No**

C: PERSON COMPLETING FORM INFORMATION

1. Name:

2. Designation (referee, Coach, Manager etc):

3. Phone/Mobile:

4. Email:

5. Club/School/Team:

Please return to: Health and Safety Officer healthandsafety@waikatolacrosse.co.nz

Appendix Four

Waikato Lacrosse – Serious Incident Report

Person's Name: _____

Club/School/Team _____ vs _____

Played at _____ Date _____

Period of match/training when offence took place _____

Details of Offence *(full details of offence as observed by Referee and/or Bench official – complete on back of sheet if necessary)*

Were other players ordered off in the incident? _____

If yes, give names/numbers _____

Was an opposition player injured in the incident? _____

Did they receive medical attention? _____

Was a General Warning given previously? _____

Did the warning appear to be understood? _____

Was the player warned previously? _____

Did the player accept the decision without dissent? _____

Was there any other referee involved – if so please give name _____

Officials/Manager Name: *(print clearly)* _____

Officials/Manager Signature: _____

Date: _____

Please forward to the Health and Safety Officer healthandsafety@waikatolacrosse.co.nz within 48 hours of the incident

Complaints and Incidents Procedure

1. Informal Approaches

- a) Talk with the other person (where this is reasonable, safe and appropriate). In the first instance, you (the Complainant) should try to sort out the problem with the person or people involved (respondent) if you feel able to do so.
- b) Contact a member of the WLA executive if:
 - i. the first step is not possible/reasonable;
 - ii. you are not sure how to handle the problem by yourself;
 - iii. you want to talk confidentially about the problem with someone and obtain more information about what you can do;
 - iv. the problem continues after you tried to approach the person or people involved.
- c) The WLA executive member will:
 - i. take confidential notes about your complaint;
 - ii. try to find out the facts of the problem;
 - iii. ask what outcome/how you want the problem resolved and if you need support;
 - iv. provide possible options for you to resolve the problem;
 - v. act as a support person if you so wish;
 - vi. refer you to an appropriate person (e.g. Mediator) to help you resolve the problem, if necessary;
 - vii. inform the relevant government authorities and/or police if required by law to do so;
 - viii. maintain confidentiality.
- d) After talking with the WLA executive member you may decide:
 - i. there is no problem;
 - ii. the problem is minor and you do not wish to take the matter forward;
 - iii. to try and work out your own resolution (with or without a support person);
 - iv. to seek a mediated resolution with the help of a third person (such as a mediator);
 - v. to seek a formal approach.

2. Formal Approaches

- a) If your complaint is not resolved or informal approaches are not appropriate or possible, you may:
 - i. make a formal complaint in writing to a member of the WLA executive;
 - ii. approach a relevant external agency such as an anti-discrimination commission, for advice.
- b) On receiving a formal complaint and based on the material you have provided, the WLA executive member will decide whether:
 - i. they are the most appropriate person to receive and handle the complaint;
 - ii. the nature and seriousness of the complaint warrants a formal resolution procedure;
 - iii. to refer the complaint to mediation;
 - iv. appoint someone to investigate (gather more information on) the complaint;
 - v. to refer the complaint to a hearings tribunal;
 - vi. to refer the matter to the police or other appropriate authority;
 - vii. to implement any interim arrangements that will apply until the complaint process set out in these Procedures is completed.
- c) In making the decision(s) outlined above, the WLA executive member will take into account:
 - i. whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
 - ii. your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
 - iii. the relationship between you and the respondent (for example an actual or perceived power imbalance between you and the respondent);
 - iv. whether the facts of the complaint are in dispute;

- v. the urgency of the complaint, including the possibility that you will be subject to further unacceptable behaviour while the complaint process is underway.
- d) If the WLA executive member is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:
 - i. put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story;
 - ii. decide if they have enough information to determine whether the matter alleged in your complaint did or didn't happen;
 - iii. determine what, if any, further action to take. This action may include disciplinary action in accordance with this policy.

3. Mediation

- a) Mediation is a process during which people in conflict are helped to communicate with each other to identify the areas of dispute and to make decisions about resolving it. This attachment outlines the general procedure of mediation that will be followed by WLA.
- b) If mediation is chosen, the WLA executive member or other designated person will, under the direction of the WLA and in consultation with the complainant and the respondent(s), arrange for a mediator.
- c) The mediator's role is to assist the complainant and respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the complainant and respondent(s), will choose the procedures to be followed during the mediation. At a minimum, an agenda of issues for discussion will be prepared by the mediator.
- d) The mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
- e) At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached which will be signed by them as their agreement.
- f) If the complaint is not resolved by mediation, the complainant may:
 - i. Write to a WLA executive member to request that the he/she consider investigating the complaint in accordance with Step 5;
 - ii. Approach an external agency such as an anti-discrimination commission.
- g) Mediation will not be recommended if:
 - i. The respondent has a completely different version of the events and will not deviate from these;
 - ii. The complainant or respondent are unwilling to attempt mediation;
 - iii. Due to the nature of the complaint, the relationship between the complainant and the respondent(s) or any other relevant factors, the complaint is not suitable for mediation;
 - iv. The matter involves proven serious allegations, regardless of the wishes of the Complainant.

4. Investigation of a Complaint or Incident

- a) An investigation may take place and the investigator provide a written report to the WLA executive member who will determine what further action to take;
- b) If an investigation needs to be conducted to gather more information the following steps will be followed:
 - I. WLA will appoint an investigator and provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. For all incidents the investigator will be the Health and Safety Officer. If the Health and Safety Officer is not an appropriate person the WLA Executive will appoint another investigator. The investigator will:
 - i. Interview the complainant and record the interview in writing.
 - ii. Convey full details of the complaint to the respondent (s) so that they can respond.

- iii. Interview the respondent to allow them to answer the complaint, and record the interview in writing.
 - iv. Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
 - v. Make a finding as to whether the complaint is; substantiated (there is sufficient evidence to support the complaint); inconclusive (there is insufficient evidence either way); unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or mischievous, vexatious or knowingly untrue.
 - vi. Provide a report to the WLA executive member, documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
- II. WLA will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous and if appropriate either the disciplinary measures put in place, or if the complaint is being referred to a mediator or a tribunal hearing panel.
 - III. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser.
 - IV. The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation.
- c) If the complaint is referred to mediation, it will be conducted in accordance with the mediation procedure or as otherwise agreed by you and the respondent and the mediation provider;
 - d) If the complaint is referred to a hearings tribunal, the hearing will be conducted in accordance with the tribunal procedure;
 - e) If the complaint is referred to the police or other appropriate authority, the WLA will use its best endeavours to provide all reasonable assistance required by the police or other authority.
 - f) It must be made clear to all parties that the investigator is not seeking to resolve the matter, nor to decide whether any breach of this Policy has occurred, nor to impose any penalty. Any decision about Policy breach will be referred to a tribunal hearing panel, or to the WLA Executive, and wherever possible, mediations should be conducted by an independent mediator. Any costs relating to the complaint process set out in this Policy (e.g. investigation and/or mediation and/or hearings tribunal) are to be met by WLA unless otherwise stated in the relevant Attachment.
 - g) The complainant or the respondent(s) may be entitled to appeal in accordance with this policy.
 - h) The WLA executive member will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place.

5. Tribunal Hearing Panel (THP)

- a) If the WLA executive member considers the complaint warrants further review and determination then the following shall occur:
 - i. The appointment of a THP which shall be constituted by any three suitably qualified persons available to consider the complaint, chosen by the WLA;
 - ii. The nomination of a chairperson of the THP by the WLA;
 - iii. The immediate forwarding of any relevant documents to the THP.
- b) No member of the THP appointed under this clause may be a party to or directly interested in the matter under consideration by the panel.

6. Tribunal Procedure

- a) The panel shall, as soon as practicable after receiving a complaint serve a notice in writing on the Complainant:
 - i. Stating that the Complainant may address the panel at a meeting to be held as soon as practicable, being not earlier than 2 days from the date of the notice;
 - ii. Stating the date, place and time of that meeting;
 - iii. Informing the Complainant of the following:

- The details of the complaint and the details of the policy or rule the Respondent is accused of;
 - That they can attend that meeting or give the panel, no later than 24 hours before the time of that meeting, a further written statement setting out relevant information surrounding the complaint;
 - The findings of the investigation;
 - Bring any witnesses/witness statements to support their complaint;
 - That no legal representation will be allowed.
- b) The panel shall, at the same time as serving a notice to the complainant, also serve a notice in writing on the Respondent:
- i. Stating that the Respondent may address the panel at the meeting;
 - ii. Stating the date, place and time of that meeting;
 - iii. Informing the Respondent of the following:
 - The details of the complaint and details of all allegations and the clause of any policy or rule allegedly breached;
 - That they can attend that meeting or give the panel, no later than 24 hours before the time of that meeting, a further written statement setting out relevant information surrounding the complaint;
 - The findings of the investigation;
 - Bring any witnesses/witness statements to support their complaint;
 - That no legal representation will be allowed.
- c) The panel may conduct a meeting convened, or any adjournment thereof, in such manner as it sees fit, but shall:
- i. Give the Complainant and the Respondent every opportunity to be heard;
 - ii. Give due consideration to any written statement from any party;
 - iii. Allow the Complainant and Respondent to be present along with their adult representative (not legally trained or qualified) if they are under the age of 18 years;
 - iv. May request or require the Complainant or any other witness to attend the meeting or provide such evidence as is available.
- d) If the Respondent is not present at the set hearing time and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been met. If the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent has been presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal will be rescheduled to a later date.
- e) Following consideration of all relevant and available information, the THP shall arrive at a finding within 24 hours of the date of the hearing. A decision of the panel must be a majority decision.
- f) The panel shall notify the WLA President, the Complainant and the Respondent within 24 hours of making such a finding, which shall be confirmed in writing within 7 days of the date of determination.
- g) The Complainant and the Respondent must comply with any direction of the panel, unless they choose to appeal that decision.

7. Appeals Procedure

- a) A complainant or a respondent(s) who is not satisfied with the outcome of mediation or a Tribunal decision, can lodge one appeal to the WLA on one or more of the following bases:
- i. That a denial of natural justice has occurred;
 - ii. That the disciplinary measure(s) imposed is unjust and/or unreasonable.
 - iii. That the decision was not supported by the information/evidence provided to the Complaints Manager/Mediator/Tribunal.
- b) A person wanting to appeal must lodge a letter setting out the basis for their appeal with the WLA President within 7 days of the relevant decision. An appeal fee of \$100.00 shall be included with the letter of intention to appeal.

- c) If the letter of appeal is not received by the WLA President within the time period the right of appeal lapses. If the letter of appeal is received but the appeal fee is not received by the relevant time, the appeal lapses.
- d) The letter of appeal and notice of any action will be forwarded to the WLA President to review and decide whether there are sufficient grounds for the appeal to proceed. The WLA President may invite any witnesses to the meeting it believes are required to make an informed decision.
- e) If the appellant has not shown sufficient grounds for appeal, then the appeal will be rejected. The appellant will be notified with reasons. The appeal fee will be forfeited.
- f) If the appeal is accepted an Appeal Tribunal with a new panel will be convened to rehear the complaint, and the appeal fee will be refunded.
- g) The Tribunal Procedure shall be followed for the appeal.
- h) The decision of an Appeal Tribunal will be final.