



DNZ MEMBER PROTECTION POLICY

Purpose of this policy

This Member Protection Policy ('policy') aims to assist DNZ to uphold its core values and create a safe, fair and inclusive environment for everyone associated with the sport of diving. It sets out our commitment to ensure that every person to whom this policy applies is treated with dignity and respect and is protected from discrimination, harassment and abuse. It also seeks to ensure that everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them

As part of this commitment, the policy allows disciplinary action to be taken against any DNZ member who breaches this policy

Who is bound by this policy

1. This policy applies to persons/entities who are involved with the activities of DNZ whether in a paid or unpaid/voluntary capacity and including:
 - any person or club that is a member of or affiliated to DNZ
 - persons appointed or elected to the DNZ board, DNZ committees and sub-committees
 - employees, contractors and volunteers of DNZ
 - support personnel appointed or elected to DNZ teams, squads (including, but not limited to, managers, physiotherapists, psychologists, masseurs, sport trainers)
 - coaches and assistant coaches
 - athletes
 - technical officials, including judges/referees and table officials
 - members, including life members of DNZ
 - athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by DNZ, and
 - parents, guardians, spectators and sponsors to the full extent practicable, including spectators, parents/guardians and sponsors, who or which agrees in writing (whether on a ticket, entry form or otherwise) to be bound by this policy

2. This policy will continue to apply to a person even after he or she has stopped their association (including employment, if any) with DNZ, if disciplinary action against that person has commenced prior to that person ceasing their association with DNZ

3. To avoid doubt, this policy also applies to:
 - member clubs
 - affiliated organisations and
 - any other related associations or committees that may be formed

from time to time, such as an Athletes Committee or a Coaches Association

Organisational responsibilities

4. Member clubs and any affiliated organisations of DNZ must:
 - adopt, implement and comply with this policy
 - make such amendments to its constitution, rules or policies as necessary to ensure that this policy is enforceable
 - publish, distribute and promote this policy and the consequences of any breaches of the policy
 - promote and model appropriate standards of behaviour at all times
 - deal with any complaints made under this policy in an appropriate manner
 - deal with any breaches of this policy in an appropriate manner
 - recognise and enforce any penalty imposed under this policy
 - ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
 - use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour, and
 - monitor and review this policy from time to time as appropriate

Individual responsibilities

5. Individuals bound by this policy must:
 - make themselves aware of the contents of this policy
 - comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy
 - place the safety and welfare of children above other considerations
 - be accountable for their behaviour, and
 - comply with any decisions and/or disciplinary measures imposed under this policy

POSITION STATEMENTS

Child protection

6. DNZ is committed to the safety and well-being of all children and young people who participate in our sport or access our services. DNZ supports the rights of the child (i.e. those under 18 years of age) and will act at all times to ensure that a child-safe environment is maintained
7. DNZ acknowledges the valuable contribution made by all those involved with DNZ, and encourages their active participation in providing a safe, fair and inclusive environment for all participants

Good practice

8. Good practice amongst all those involved with children includes ensuring that:
 - the safety and wellbeing of children are paramount at all times
 - athletes are treated with dignity and respect
 - adults at all times establish and maintain appropriate professional boundaries in their relationship with athletes
 - concerns regarding the treatment of children are reported in an appropriate manner

9. The relationship of those involved with children must at all times be both professional and appropriate. More specifically, all those involved with children (other than their own) must not:
 - be in the presence of children (irrespective of gender) in secluded places where they will be alone
 - share a room with a single child alone or one of the opposite gender (other than their own)
 - invite a child into their room or enter a child's room in the absence of another person
 - leave a pool or training venue before all child athletes have been collected or without appropriate adult supervision
 - intentionally make a child feel diminished or embarrassed
 - embarrass, humiliate, undermine, yell or shout at a child
 - use inappropriate language or allow other children to use inappropriate language unchallenged (e.g. swearing, name calling/put downs, sarcasm, innuendo, making comments that are culturally or racially offensive)
 - make sexually suggestive comments in the vicinity of a child, whether or not in jest
 - engage in rough, physically or sexually provocative games, or
 - engage in, or permit any form of abuse or sexual harassment
10. All reasonable steps must be taken to ensure that only persons who are suitable are engaged to work with children, especially those who are involved with regular unsupervised contact with children
11. Where required by law, or otherwise considered appropriate, police checks should be carried out as part of the process of assessing a person's suitability. If a criminal history report is obtained as part of the screening process, this information must be handled confidentially and in accordance with all relevant legal requirements

Taking images of children

12. There is a risk that images of children may be used inappropriately or illegally. This position statement covers any devices that can take/record images or videos. All individuals must, where practicable, obtain permission from a child's parent/guardian before taking an image of a child who is not their own. They should also explain to the parent/guardian how the image will be used. Exceptions to this requirement are taking an image or video of a medal or award presentation or a team photo, taking media photographs and videoing or livestreaming athletes for the purpose of broadcasting diving events
 13. To respect people's privacy, camera phones, videos and cameras must not be used inside changing areas, showers and toilets which are used in connection with our sport
 14. Subject to the above exceptions, when using a photo of a child, personal information, such as residential address, email address or telephone number, should not be published without the consent of the child's parent/guardian.
- Note - It should be borne in mind that information about a child's hobbies, interests, school or the like, can be used by paedophiles or other persons to "groom" a child*
15. Only images of children that are relevant to our sport should be used.

Furthermore, only images of children who are suitably clothed and shown in a manner that promotes participation in the sport, should be used. DNZ will seek permission from the parents/guardians of the children before using children's images on its website. DNZ requires member clubs and any affiliated organisations to do likewise

Anti-discrimination and harassment

16. DNZ is committed to providing an environment in which all those involved in its activities are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination and harassment. DNZ recognises that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed
17. Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by New Zealand anti-discrimination laws
18. The personal characteristics protected by anti-discrimination laws include attributes such as sex (including pregnancy and childbirth), marital status, religious belief, ethical belief, colour, race, ethnic or national origins (including nationality or citizenship), disability, age, political opinion, employment status, family status and sexual orientation
19. Some exceptions to anti-discrimination laws apply, including exceptions for sporting activities, such as:
 - holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years)
 - excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity
 - not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity
20. Discrimination can be either direct or indirect. Direct discrimination occurs if a person treats, or proposes treating a person with a protected personal characteristic unfavourably because of that personal characteristic. Indirect discrimination occurs if a person imposes, or proposes to impose an unreasonable requirement, condition or practice that will disadvantage a person with a protected personal characteristic

Harassment

21. Harassment is any unwelcome conduct, verbal or physical, which has the effect of intimidating, offending or humiliating the person harassed. Harassment may (but not necessarily) be based on any of the personal characteristics covered by anti-discrimination law. Harassing behaviour does not have to take place a number of times: in some situations a single incident can constitute harassment
22. Sexual harassment is one form of harassment. Sexual harassment is unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex

Prohibition against discrimination and harassment

23. All forms of harassment and unlawful discrimination are prohibited. A person bound by this policy must not harass or unlawfully discriminate against any person
24. Any person who believes they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy is encouraged to raise their concerns with DNZ. In some circumstances they may also be able to make a complaint to an external organisation

Intimate relationships

25. Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. In particular, they must ensure that they treat athletes in a respectful and fair manner, and that they do not engage in sexual harassment, bullying, favouritism or exploitation
26. DNZ takes the position that consensual intimate relationships between coaches or officials and the adult athletes they coach should be avoided as such relationships can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach or official and the athlete
27. DNZ recommends that if an athlete attempts to initiate an intimate relationship with a coach or official, the coach or official should discourage the athlete's approach and explain to the athlete why such a relationship is not appropriate
28. If a consensual intimate relationship does exist or develop between an adult athlete and a coach or official, the coach or official is expected to ensure that the relationship is appropriate and that it does not compromise impartiality, professional standards or the relationship of trust the coach or official has with the athlete and/or other athletes
29. In assessing the appropriateness of an intimate relationship between a coach or official and an adult athlete, relevant factors include, but are not limited to:
 - the relative age and social maturity of the athlete
 - any potential vulnerability of the athlete
 - any financial and/or emotional dependence of the athlete on the coach or official
 - the ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career
 - the extent of power imbalance between the athlete and coach or official and the likelihood of the relationship having an adverse impact on the athlete and/or other athletes
30. It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of the appropriateness of the relationship and accordingly they are encouraged to seek advice and assistance as may be necessary to ensure that they at all

times act in an appropriate and professional manner

Pregnancy

31. DNZ is committed to treating pregnant women fairly and any unreasonable barriers to their full participation in our sport should be removed
32. To ensure the continuing safety, health and wellbeing of pregnant women, DNZ recommends that pregnant women wishing to participate in our sport consult with their medical advisors to ensure that they make informed decisions about participation

Gender identity

33. Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other than male or female. Some terms used to describe a person's gender identity include trans, transgender and gender diverse
34. All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. DNZ will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual. DNZ expects all people bound by this policy to act with sensitivity when a person is undergoing gender transition
35. DNZ is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends to compete at an elite level, DNZ will encourage them to obtain advice about the IOC's criteria
36. It is to be noted that drug testing procedures and prohibitions also apply to people who identify as transgender. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption

Bullying

37. DNZ is committed to providing an environment that is free from bullying. DNZ recognises that that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and regards bullying in all forms as unacceptable in our sport
38. Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions by an individual or a group
39. Whilst generally characterised by repeated behaviours, one-off instances can amount to bullying

40. The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, are examples of what would be considered bullying:
- verbal abuse including shouting, swearing, teasing, making belittling remarks
 - persistent unjustified criticism
 - excluding or isolating a group or person
 - spreading malicious rumours, or
 - psychological harassment such as intimidation
41. Bullying includes cyber-bullying, which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. DNZ will not tolerate abusive, discriminatory, intimidating or offensive statements being made online
42. Frustration at a referee, teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant club, DNZ or such other sporting body, as appropriate
43. If any person believes they are being, or have been, bullied by a person or organisation bound by this policy, they should make a complaint

Responsible service and consumption of alcohol

44. DNZ is committed to conducting sporting and social events in a manner that promotes the responsible serving and consumption of alcohol
45. In general, DNZ's position on alcohol is as follows:
- where alcohol is served, event hosts must appoint a suitable person to ensure appropriate practices and controls in respect of the consumption of alcohol are put in place and complied with
 - event hosts must ensure that no alcohol is made available to any person under the age of 18 years
 - alcohol-free social events should be provided for young people and families
 - safe transport options should be considered and promoted as part of any event held where alcohol is served

Smoke-free environment

46. DNZ is committed to providing a safe and healthy environment at all sporting and social events held or endorsed by DNZ
47. Consistent with that commitment:
- no smoking is to occur at or near sporting events involving children under the age of 18
 - social events are to be smoke-free, and
 - coaches, officials, trainers, volunteers and players must refrain from smoking while they are involved in an official capacity in our sport, both within and outside the pool environment

Social networking

48. Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes, but is not limited to social networking sites such as Facebook, WhatsApp, Instagram and Twitter
49. DNZ acknowledges the significant value of social networking in promoting the sport of diving and in celebrating the achievements and success of the people involved in our sport. DNZ expects, however, that all persons bound by this policy will conduct themselves appropriately when using social networking sites to share information related to our sport
50. In particular, social media activity, including postings, blogs, status updates and tweets, by any person bound by this policy:
- must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate
 - must not contain material which is inaccurate, misleading or dishonest
 - must not contain material which is in breach of any law, court order, undertaking or contract
 - must respect and maintain the privacy of others, and
 - must promote the sport of diving in a positive way

For additional guidance, reference should be made to the DNZ Social Media Guidelines

Breach of this policy

51. It is a breach of this policy for any person or organisation bound by this policy to do anything contrary to this policy, whether express or implied.

52. A person bound by this policy must not:

- breach any prescribed code of conduct
- bring the sport and/or DNZ into disrepute, or acting in a manner likely to bring the sport and/or DNZ into disrepute
- fail to follow this policy and procedures for the protection, safety and well-being of children
- discriminate against, harass or bully (including cyber-bullying) any person
- victimise another person for making or supporting a complaint
- engage in an inappropriate intimate relationship with a person that s/he supervises, or has influence, authority or power over
- verbally or physically assault another person, intimidate another person or create a hostile environment within the sport
- disclose to any unauthorised person or organisation any DNZ information that is of a private, confidential or privileged nature
- make a complaint that they know to be untrue, vexatious, malicious or improper
- fail to comply with a penalty imposed after a finding that they have breached this policy, or
- fail to comply with a direction given to them/it as part of any disciplinary process

Complaints procedures

Handling complaints

53. Any person (a complainant) may make a complaint about any person or organisation bound by this policy (respondent) if they feel they have been treated in a manner that is in breach of this policy
54. 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
55. All complaints made to DNZ must be dealt with promptly, sensitively and confidentially. If a complaint involves people operating at the club level, then the complaint should be reported to and dealt with by the relevant club
56. A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and Chair of the Board of DNZ should consider whether that is an appropriate way to handle the particular complaint, including whether or not the law requires the complaint/allegation to be reported to an external authority

Mediation

57. DNZ aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for further intervention
58. Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with a mutually agreed solution(s). Such agreed solution may occur before or after the investigation of a complaint
59. Where a complainant wishes to resolve their complaint with the assistance of a mediator, DNZ may, in consultation with the complainant, arrange for an independent mediator

Victimisation and improper complaints

60. DNZ aims to ensure that a complaint may be made without fear of repercussions or victimisation against the complainant. DNZ will take all necessary steps to ensure that any complainant or support person is 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
61. Conversely, if at any point in the complaint handling process it is considered that that a complainant may have knowingly made a false complaint, or that the complaint is malicious or intended to cause distress to the respondent, the Board of DNZ may refer the matter for review and appropriate action, including possible disciplinary action against the complainant

Discipline process

62. Where it is decided that the complaint should be dealt via a discipline process, the provisions of the [constitution of DNZ](#) or the relevant club, as applicable, are to be followed

DOCUMENT MANAGEMENT AND CONTROL

Approved by Board of Diving New Zealand

Date approved: 29 January 2016

Amendment approved date: 30 March 2019

Review date: March 2021