

# Attachment C1: Member Protection Declaration

CA has a duty of care to all those associated with our organisation and to the individuals and organisations to whom this policy applies. It is a requirement of our Cycling Australia Member Protection Policy that we check the background of each person who works, coaches or has regular unsupervised contact with children and young people under the age of 18 years.

I ..... (name) of .....

..... (address) born ...../...../.....

sincerely declare:

I do not have any criminal charge pending before the courts.

I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children, acts of violence, or narcotics.

I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence or crimes related to narcotics.

I am not currently serving a sanction for an anti-doping rule violation under an Australian Sports Anti-Doping Authority (ASADA) approved anti-doping policy applicable to me.

I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA approved anti-doping policy applicable to me.

To my knowledge, there is no other matter that CA may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.

I will notify the CEO of the organisation/s engaging me immediately upon becoming aware that any matter set out above has changed.

Declared in the state/territory of .....

on ...../...../.....(date) Signature .....

Consent of parent/guardian (on behalf of a person under the age of 18 years)

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name: .....

Signature: .....

Date :...../...../.....

# Attachment C2:

## Working with Children Check Requirements

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

**They assess the suitability of people to work with children and young people and can involve:**

- Criminal history checks
- Signed declarations
- Referee checks, and;
- Other relevant background checks to assess a person's suitability to work with children and young people

Working with Children Check requirements vary across Australia. Fact Sheets for each state and territory are available on the Play by the Rules website: [www.playbytherules.net](http://www.playbytherules.net)

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

### Australian Capital Territory

Contact the Office of Regulatory Services

**Website:** [www.ors.act.gov.au/community/working\\_with\\_vulnerable\\_people\\_wwvp](http://www.ors.act.gov.au/community/working_with_vulnerable_people_wwvp)

**Phone:** 02 6207 3000

### New South Wales

Contact the Office of the Children's Guardian

**Website:** [www.kidsguardian.nsw.gov.au/check](http://www.kidsguardian.nsw.gov.au/check)

**Phone:** 02 9286 7276

### Northern Territory

Contact the Northern Territory Screening Authority

**Website:** [www.workingwithchildren.nt.gov.au](http://www.workingwithchildren.nt.gov.au)

**Phone:** 1800 SAFE NT (1800 723 368)

### Queensland

Contact the Queensland Government Blue Card Services

**Website:** [www.bluecard.qld.gov.au](http://www.bluecard.qld.gov.au)

**Phone:** 1800 113 611

### South Australia

Contact the Department for Education and Child Development

**Website:** [www.families.sa.gov.au/childsafes](http://www.families.sa.gov.au/childsafes)

**Phone:** 08 8463 6468

**National Police Check:** [www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check](http://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check)

DCSI Child Related Work Screening: <http://www.dcsi.sa.gov.au/services/screening>

### Tasmania

Contact the Department of Justice

**Website:** [www.justice.tas.gov.au/working\\_with\\_children](http://www.justice.tas.gov.au/working_with_children)

**Phone:** 1300 13 55 13

# Attachment C2: Working with Children Check Requirements

## Victoria

Contact the Department of Justice

**Website:** [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)

**Phone:** 1300 652 879

## Western Australia

Contact the Department for Child Protection

**Website:** [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au)

**Phone:** 1800 883 979

## Travelling to other states or territories

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

In certain jurisdictions, temporary, time limited exemptions from working with children checks may be available for interstate visitors with a Working with Children Check in their home state.

The laws providing interstate exemptions are not consistent across Australia.

If an employee or volunteer for your organisation is travelling interstate to do work that would normally require a working for children check, you will need to check the relevant requirements of that state or territory.

# Attachment D: Complaint Handling Procedures

## Background

All Complaints will be dealt with in a fair, timely, transparent manner. Complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the Complaint.

Individuals and organisations may also pursue their Complaint externally under anti-discrimination, child protection or other relevant legislation.

If, as a complainant, you wish to remain anonymous, Cycling Australia (CA) may have difficulty assisting you to resolve your Complaint. Procedural fairness (natural justice) means that CA is required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond.

In accordance with clause 3 of this Policy, its application encompasses all of Cycling Australia and its members including Affiliated Clubs and Constituent Associations. In situations where the matter is relevant to an incident or event under direct responsibility or auspices of an Affiliated Club or Constituent Association, then the Complaint should be first directed to the respective Affiliated Club or Constituent Association (i.e. the organisation that has direct responsibility for the matter during which the incident occurred).

For the purposes of this policy and the application of the formal complaint procedure below, when a matter is being dealt with by an Affiliated Club or Constituent Association all references to CA or CEO of CA shall be read as the relevant Affiliated Club or Constituent Association or the principal administrator or Secretary of the relevant Affiliated Club or Constituent Association.

Where an affiliated State or Club deals with a complaint as an investigation or disciplinary matter, then the principles and procedures set out in the Affiliated Club or Constituent Association's equivalent of the CA (Disciplinary and Appeal) By-Laws 10 to 15, may also be applicable, depending on how the relevant Member Protection Information Officer (MPIO) (or other designated person) decides the Complaint shall be dealt with.

# Attachment D1: Complaints Procedures

## INFORMAL APPROACHES

Cycling Australia aims to support people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way.

We will endeavor to keep all complaints confidential. We will not provide information about the complaint to another person without the complainant's consent, except if the law requires us disclose this information or if it is necessary to properly resolve the complaint.

To ensure fairness for everyone involved, we will provide the full details of the complaint to the person or people against whom the complaint has been made and ask for their response. As a result, it may be difficult for us to resolve complaints made anonymously.

We will provide informal and formal procedures to resolve complaints. Individuals and organisations can also complain to external organisations under anti-discrimination, child protection and other relevant laws.

### **Step 1: Talk with the other person (where this is reasonable, safe and appropriate)**

In you feel comfortable to do so, you can approach the other person or people involved and try and resolve the problem directly.

### **Step 2: Contact a Member Protection Information Officer**

**We encourage you to talk with one of our MPIOs if:**

- the first step is not possible/reasonable;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially about the problem with someone and obtain more information about what you can do; or
- the problem continues after you tried to approach the person or people involved.

The names and contact details for the CA MPIOs are available by contacting Cycling Australia at 03 9998 6810 or email [info@cyclimg.org.au](mailto:info@cyclimg.org.au). Please visit your member state or territory or affiliate club for your local contact.

**The MPIO will:**

- take confidential notes about your Complaint;
- try to find out the facts of the problem;
- ask what outcome/how you want the problem resolved and if you need support;
- provide possible options for you to resolve the problem;
- act as a support person if you so wish;
- refer you to an appropriate person (e.g. Mediator) to help you resolve the problem, if necessary;
- inform the relevant government authorities and/or police if required by law to do so;
- maintain confidentiality.

# Attachment D1:

## Complaints Procedures

### Step 3: Decide how to address your concern

After talking with the MPIO, you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;
- to try and work out your own resolution (with or without a support person such as an MPIO);
- to seek a mediated resolution with the help of a third person (such as a mediator); or
- to seek a formal approach.

## FORMAL APPROACHES

### Step 4: Making a Formal complaint

If it is not possible or appropriate to resolve your complaint through an informal process, you may:

- make a formal complaint in writing to the Complaints Officer; or
- approach a relevant external agency such as an anti-discrimination or equal opportunity commission, for advice.

After receiving a formal complaint and based on the material the complainant has provided, the CEO (or nominee) will:

- decide whether they are the most appropriate person to receive and handle the Complaint;
- the nature and seriousness of the complaint warrants a formal resolution procedure;
- to take no further action because the complaint is improper, insignificant or vexatious, or has been adequately dealt with through informal or other processes;
- to refer the complaint to mediation;
- to appoint a person to investigate the complaint;
- to refer the complaint to a hearings tribunal constituted under this policy and described in Attachment D4;
- to refer the matter to CA's disciplinary tribunal described under the CA Constitution and By-laws (or the relevant affiliate's disciplinary tribunal described under that affiliates Constitution and By-Laws);
- to refer the matter to the police or other appropriate authority; and/or
- to implement any interim arrangements that will apply until the complaint process set out in these Procedures is completed.

**In making the decision(s) outlined above, the Complaints Officer will take into account:**

- whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- the relationship between you and the respondent (for example an actual or perceived power imbalance between you and the respondent);
- the views of any person who might have been subjected to the alleged improper conduct of the respondent (including for example the athlete in circumstances where another person has made a complaint on their behalf);
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the possibility that you will be subject to further unacceptable behaviour while the complaint process is underway.

# Attachment D1: Complaints Procedures

**If the CEO (or nominee) is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:**

- put the information they have received from the complainant to the respondent and ask them to provide their side of the story;
- decide if they have enough information to determine whether the matter alleged in the Complaint did or did not happen; and/or
- determine what, if any, further action to take, including disciplinary action in accordance with this policy.

**If the CEO (or nominee) is not the appropriate person to handle the complaint they will:**

- refer the matter to another appropriate person within the organisation.

## **Step 5: Investigation / mediation / hearing**

- A person may be appointed under Step 4 to conduct an investigation and provide a written report to the Complaints Officer who will determine what further action to take. Such investigation will be conducted in accordance with Attachment D3. 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 disciplinary action must be referred to an independent tribunal, and wherever possible, mediations should be conducted by an independent mediator.
- If the complaint is referred to mediation, it will be conducted in accordance with Attachment D2 or as otherwise agreed by you and the respondent and the mediation provider.
- If the Complaint under this policy is referred to the member protection hearings tribunal, the hearing will be conducted in accordance with Attachment C5.
- If the complaint is referred to the police or other appropriate authority, CA will use its best endeavours to provide all reasonable assistance required by the police or other authority.
- Any costs relating to the complaint process set out in this policy (eg investigation, mediation and/or a tribunal hearing) are to be met by the applicant unless otherwise stated.

## **Step 6: Reconsideration of initial outcome/investigation or appeal**

If, under the formal complaint process, mediation is unsuccessful, the complainant may request that the CEO (or nominee) reconsider the complaint in accordance with Step 4.

Following a hearing, the complainant or the respondent(s) may be entitled to appeal.

The complainant may also appeal the decision of the CEO (or nominee) to dismiss a complaint or not reconsider the complaint under Step 4 in the case of an unsuccessful mediation.

Appeals are to be made in accordance with the State or Territory Member or Affiliate Club process. Where there is no process the grounds and process for appeals under this policy are set out in Attachment C5.

## **Step 7: Documenting the resolution**

The Complaints Officer will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the Complaint was dealt with at an Affiliated Club or Constituent Association level, the information will be stored in the Affiliated Club or Constituent Association level office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the national level, the original document will be stored at the national office with a copy stored at the state/club office.

# Attachment D1: Complaints Procedures

## Approaching External Organisations

If you feel that you have been harassed or discriminated against, you can seek advice from your state or territory anti-discrimination or equal opportunity commission. There is no obligation to make a formal complaint. However, if the commission advises you that the issues appear to be within its jurisdiction, you may choose to lodge a formal complaint with the commission.

Once a complaint is received by the commission, it will investigate the matter. If it appears that unlawful harassment or discrimination has occurred, the commission will attempt to conciliate the complaint on a confidential basis. If this fails, or if it is not appropriate, the complaint may go to a formal hearing. The tribunal will make a finding and decide what action, if any, will be taken. This could include an apology or financial compensation for distress, lost earnings or medical and counselling expenses incurred.

If you do lodge a complaint with the commission, an appropriate person from our organisation (e.g. an MPIO) will be available to support you during the process. It is also common to have a legal representation, particularly if the complaint goes to a formal hearing.

**Contact details for the state and territory anti-discrimination and equal opportunity commissions** are available on the Play by the Rules website: <http://www.playbytherules.net.au/resources/quick-reference-guide>.

Serious incidents, such as assault or sexual assault, should be reported to the police.



## Attachment D2: Mediation

Mediation is a process that allows the people involved in a complaint to talk through the issues with an impartial person - the mediator - and work out a mutually agreeable solution.

The Mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to talk through the issues and make sure that the process is as fair as possible for all concerned.

Our approach to mediation follows the steps set out below.

1. The CEO (or nominee) will appoint a mediator to help resolve the complaint. This will be done under the direction of CA and in consultation with the complainant and the respondent(s).
2. The mediator will talk with the complainant and respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
3. All issues raised during mediation will be treated confidentially. We also respect the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. If the complaint is resolved by mediation, the mediator will prepare a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect the terms of the agreement.
5. If the complaint is not resolved by mediation, the complainant may:
  - write the CEO (or nominee) to request that the complaints officer reconsider the complaint in accordance with Step 4;
  - approach an external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

**We recognise that there are some situations where mediation will not be appropriate, including:**

- when the people involved have completely different versions of the incident
- when one or both parties are unwilling to attempt mediation
- when the issues raised are sensitive in nature
- when there is a real or perceived power imbalance between the people involved
- matters that involve serious, proven allegations.

# Attachment D3:

## Investigation Process

There will be times when a complaint will need to be investigated and evidence gathered.

An investigation helps determine the facts relating to the incident, as well as possible findings and recommendations.

Any investigation that is conducted will be fair to all people involved.

If an investigation needs to be conducted to gather more information the following steps will be followed:

1. We will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities.
2. The investigator may:
  - Interview the complainant and record the interview in writing.
  - Convey details of the complaint to the respondent (s) so that they can respond. This may be done via summary.
  - Interview the respondent to allow them to answer the complaint, and record the interview in writing.
  - Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
  - 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.
  - Provide a report to the CEO (or nominee) documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
3. We will provide a report to the complainant and respondent (s) documenting the complaint, the investigation process and summarizing key points from the investigation.
4. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser.

# Attachment D4:

## Hearings & Appeals Tribunal Procedure

1. A tribunal panel will be constituted following the rules outlined in CA's Constitution, to hear a complaint that has been referred to it.
2. The number of tribunal members required to be present throughout the hearing will be three.
3. The tribunal members will be provided with a copy of all the relevant correspondence, reports or information relating to the complaint/allegations.
4. The tribunal hearing will be scheduled as soon as practicable, but must allow adequate time for the respondent to prepare their case for the hearing.
5. The CEO (or nominee) will inform the respondent(s) in writing that a tribunal hearing will take place.

### **The notice will outline:**

- That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
  - Details of the complaint, and details of all allegations and the clause of any policy or rule allegedly breached;
  - The date, time and venue of the tribunal hearing;
  - That they can make either verbal or written submissions to the tribunal;
  - That they may arrange for witnesses to attend the tribunal in support of their position (statutory declarations of witnesses not available or from character witnesses may also be provided to the tribunal);
  - An outline of any possible penalties that may be imposed if the complaint is found to be true;
  - That legal representation will not be allowed. [The respondent may be assisted by a support person at a Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However a person cannot be a support person if he or she has been admitted to the practise as a lawyer or worked as a trainee lawyer.] A copy of any investigation report findings will be provided to the respondent(s).
6. The CEO (or nominee) will notify the complainant in writing that a tribunal hearing will take place.

### **The notice will outline:**

- That the person has a right to appear at the tribunal hearing to support their complaint;
- Details of the complaint, including any relevant rules or regulations the respondent is accused of breaching;
- The date, time and venue of the tribunal hearing;
- That they can make either verbal or written submissions to the tribunal;
- That they may arrange for witnesses to attend the tribunal in support of their position (or provide statutory declarations from witnesses unable to attend); and
- That legal representation will not be allowed.
- If the respondent is a minor, they will be encouraged to have a parent or guardian present.

A copy of all information / documents that have been given to the tribunal (e.g. investigation report findings) will also be provided to the complainant.

7. If the complainant believes the details of the complaint are incorrect or insufficient they should inform the CEO (or nominee) as soon as possible so that the respondent and the tribunal panel members can be properly informed of the complaint.
8. It is preferable that the tribunal include at least one person with knowledge or experience of the relevant laws/rules (e.g. Discrimination).

# Attachment D4: Hearings & Appeals Tribunal Procedure

## Tribunal Hearing Procedure

1. The following people will be allowed to attend the tribunal hearing:
  - The tribunal members;
  - The respondent(s);
  - The complainant;
  - Any witnesses called by the respondent;
  - Any witnesses called by the complainant;
  - Any parent / guardian or support person required to support the respondent or the complainant.
2. If the respondent(s) 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.
3. If the tribunal chairperson considers that a valid reason for the non-attendance of the respondent(s) 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.
4. The tribunal chairperson will inform the CEO (or nominee) of the need to reschedule, and the CEO (or nominee) will organise for the tribunal to be reconvened.
5. The tribunal chairperson will read out the complaint, ask the respondent(s) if they understand the complaint and if they agree or disagree with the complaint.
6. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the tribunal panel when determining any disciplinary measures.
7. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
  - Reference may be made to brief notes.
  - The complainant may call witnesses.
  - The respondent(s) may question the complainant and witnesses.
8. The respondent(s) will then be asked to respond to the complaint.
  - Reference may be made to brief notes.
  - The respondent may call witnesses.
  - The complainant may ask questions of the respondent and witnesses.
9. Both the complainant and respondent may be present when evidence is presented to the tribunal. Witnesses may be asked to wait outside the hearing until required.

# Attachment D4:

## Hearings & Appeals

### Tribunal Procedure

10. The tribunal may:
  - consider any evidence, and in any form, that it deems relevant
  - question any person giving evidence
  - limit the number of witnesses presented to those who provide any new evidence
  - require (to the extent it has power to do so) the attendance of any witness it deems relevant
  - act in an inquisitorial manner in order to establish the truth of the issue/case before it.
11. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
12. If the tribunal considers that at any time during the tribunal hearing there is any unreasonable or intimidatory behaviour from anyone, the chairperson may deny further involvement of the person in the hearing.
13. After all of the evidence has been presented the tribunal will make its decision in private. The tribunal must decide whether the complaint has been substantiated on the balance of probabilities (i.e. more probable than not). As the seriousness of the allegation increases, so too must the level of satisfaction of the tribunal that the complaint has been substantiated. The respondent will be given an opportunity to address the Tribunal on disciplinary measures which might be imposed. Disciplinary measures imposed must be reasonable in the circumstances.
14. All Tribunal decisions will be by majority vote.
15. The respondent (s) will have the opportunity to make submissions to the Tribunal in relations to any sanctions that may be imposed.
16. The tribunal chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed, or may advise those present that the decision is reserved and will be handed down in written form at a later time.
17. Within 48 hours of the hearing, the tribunal chairperson will:
  - Forward to the CEO (or complaints officer) notice of the tribunal decision including any disciplinary measures imposed.
  - Forward a letter to the respondent(s) reconfirming the tribunal decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal. Where the matter is of unusual complexity or importance, the tribunal chairperson may inform the parties in writing within 48 hours that the decision will be delayed for a further 48 hours.
18. The Tribunal does not need to provide written reasons for its decision.

### Appeals Procedure

Any appeals must follow section 2.15 of the CA By-Laws or relevant section of the Member State or Territory or club constitution and/or by-laws.

# Attachment E1: Confidential Record of Informal Complaint

Name of person receiving complaint			Date:     /     /
Complainant's Name	<input type="checkbox"/> Over 18 <span style="float:right;"><input type="checkbox"/> Under 18</span>		
Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official		<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
When/where did the incident take place?			
What are the facts relating to the incident as stated by the complainant			
What is the nature of the complaint (category/basis/grounds)  Tick more than one box if necessary	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse  <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimization <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other .....		
What does the complainant want to happen to resolve the issue			
What other information has the complainant provided?			
What is the complainant going to do now?			

# Attachment E2: Confidential Record of Formal Complaint

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received: / /
Complainant's contact details	Phone: Email:	
Complainant's Role/position	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other .....
Name of person complained about (respondent)	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Respondent's Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other .....
Location/event of alleged incident		
Description of alleged issue		
Nature of complaint (category/basis/grounds)  Tick more than one box if necessary	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other .....	
Methods (if any) of attempted informal resolution		

# Attachment E2: Confidential Record of Formal Complaint

Formal resolution procedures followed (outline)	
If investigated:	Finding
If went to hearing tribunal:	Decision  Action Recommended
If mediated:	Date of Mediation  Both/all parties present  Agreement  Any other action taken
If went to appeals tribunal:	Decision  Action Recommended
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve
Completed by	Name: Position: Signature: / /
Signed by:	Complainant:  Respondent:



# Attachment E3: Procedure for Handling Allegations of Child Abuse

**If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.**

Fact sheets on reporting allegations of child abuse in different states and territories are available at [www.playbytherules.net.au](http://www.playbytherules.net.au).

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

All people working with CA in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

## Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

## Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the CEO of CA or nominee so that he or she can manage the situation

# Attachment E3: Procedure for Handling Allegations of Child Abuse

## Step 3: Protect the child and manage the situation

- The CEO or nominee will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is in paid employment with CA.
- The CEO or nominee will consider what services may be most appropriate to support the child and his or her parent/s.
- The CEO or nominee will consider what support services may be appropriate for the alleged offender

## Step 4: Take internal action

- Up to three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
  - a criminal investigation (conducted by the police)
  - a child protection investigation (conducted by the relevant child protection agency)
  - a disciplinary or misconduct inquiry/investigation (conducted by CA).
- Regardless of the findings of the police and/or child protection agency investigations, CA will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.
- The CEO or nominee will consider all information relevant to the matter – including any findings made by the police, the child protection authority and/or court – and then set out a finding, recommend actions and the rationale for those actions.
- If disciplinary action is recommended, we will follow the procedures set out in Clause 9 of our Member Protection Policy.
- We will provide the relevant government agency with a report of any disciplinary action we take, where this is required.

# Attachment E3: Procedure for Handling Allegations of Child Abuse

## **Contact details for advice or to report an allegation of child abuse**

Tasmania Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.tas.gov.au">www.police.tas.gov.au</a>	Department of Health and Human Services <a href="http://www.dhhs.tas.gov.au/children">www.dhhs.tas.gov.au/children</a> Ph: 1300 737 639
<b>Victoria</b>	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 <a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>	Department of Human Services <a href="http://www.dhs.vic.gov.au">www.dhs.vic.gov.au</a> Ph: 131 278
<b>Western Australia</b>	
Western Australia Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.wa.gov.au">www.police.wa.gov.au</a>	Department for Child Protection <a href="http://www.dcp.wa.gov.au">www.dcp.wa.gov.au</a> Ph: (08) 9222 2555 or 1800 622 258
<b>Australian Capital Territory</b>	
ACT Police Non-urgent police assistance Ph: 131 444 <a href="http://www.afp.gov.au">www.afp.gov.au</a>	Office for Children, Youth and Family Services <a href="http://www.dhcs.act.gov.au/ocyfs/services/care_and_protection">www.dhcs.act.gov.au/ocyfs/services/care_and_protection</a> Ph: 1300 556 729
<b>New South Wales</b>	
New South Wales Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.nsw.gov.au">www.police.nsw.gov.au</a>	Department of Community Services <a href="http://www.community.nsw.gov.au">www.community.nsw.gov.au</a> Ph: 132 111
<b>Northern Territory</b>	
Northern Territory Police Non-urgent police assistance Ph: 131 444 <a href="http://www.pfes.nt.gov.au">www.pfes.nt.gov.au</a>	Department of Children and Families <a href="http://www.childrenandfamilies.nt.gov.au">www.childrenandfamilies.nt.gov.au</a> Ph: 1800 700 250
<b>Queensland</b>	
Queensland Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.qld.gov.au">www.police.qld.gov.au</a>	Department of Communities <a href="http://www.communities.qld.gov.au/childsafety">www.communities.qld.gov.au/childsafety</a> Ph: 1800 811 810
<b>South Australia</b>	
South Australia Police Non-urgent police assistance Ph: 131 444 <a href="http://www.sapolice.sa.gov.au">www.sapolice.sa.gov.au</a>	Department for Communities and Social Inclusion <a href="http://www.dcsi.sa.gov.au">www.dcsi.sa.gov.au</a> Ph: 131 478

# Attachment E3: Procedure for Handling Allegations of Child Abuse

CEO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

This record and any notes must be kept in a confidential and safe place and provided to the relevant authorities (police and government) should they require them.

# Attachment E4: Confidential Record of Child Abuse Allegation

Before completing, ensure the procedures outlined in attachment E3 have been followed and advice has been sought from the relevant government agency and/or police.

Complainant's Name (if other than the child)		Date Formal Complaint Received:    /    /
Role/status in sport		
Child's name		Age:
Child's address		
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)		
Name of person complained about		
Role/status in sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other .....
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	
Government agency contacted	Who: When: Advice provided:	