



**MEMBER PROTECTION
POLICY**

Version 5

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Document Control Sheet

Change History

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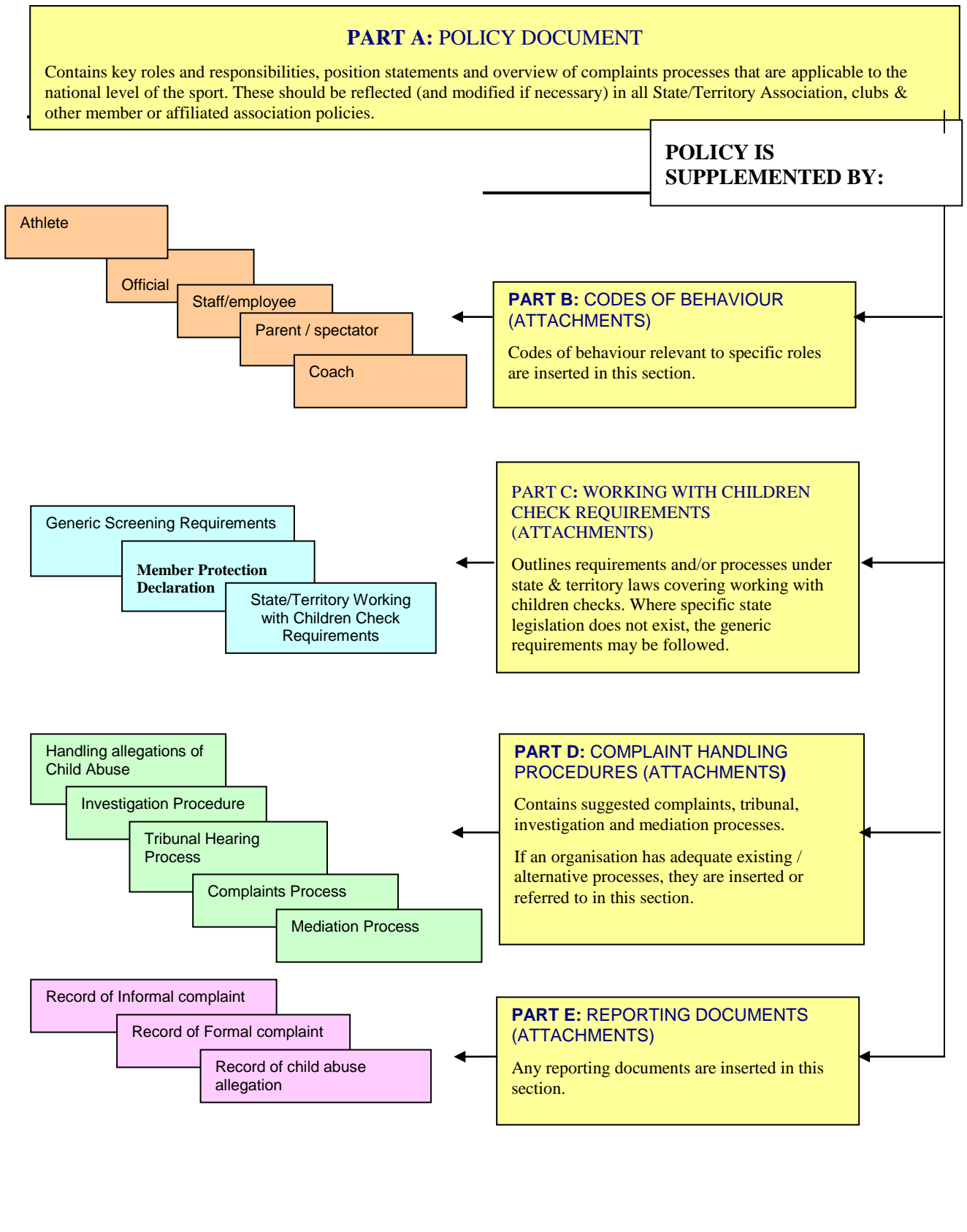
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Distribution List

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Policy Framework: How is this policy template organised?



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PREFACE

Australian Athletes with a Disability (AAWD) has developed this Member Protection Policy in recognition of the growing need to ensure all of our members are protected in all situations that may arise through their involvement with AAWD, member organisations and/or affiliated organisations.

AAWD is committed to providing an environment that is free from harassment, discrimination and abuse for everyone, that is safe for children, and that promotes respectful and positive behaviour and values.

This policy provides a Code of Behaviour forming the basis of appropriate and ethical conduct which everyone must abide by. In addition there are supplementary role specific Codes of Conduct also included.

This policy is an essential part of AAWD's proactive and preventative approach to tackling inappropriate behaviour.

The Board of Directors and Staff of AAWD are committed to ensuring that everyone associated with our organisation complies with this policy.

GILLIAN TING

Executive Officer

Australian Athletes with a Disability

28 January 2010

PART A: NATIONAL MEMBER PROTECTION POLICY

1. AAWD's Core Values

Our **vision** is to become the leading national representative body for the development of sports for athletes with a disability. Our **mission** is to administer, promote and develop sporting opportunities for athletes with a disability.

2. Purpose of this policy

This National Member Protection Policy (policy) aims to maintain ethical and informed decision-making and responsible behaviours within our sport. It outlines our commitment to a person's right to be treated with respect and dignity and to be safe and protected from abuse. This policy informs everyone involved in our sport at the national level of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

The policy attachments outline the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, the AAWD will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed by AAWD and has been incorporated into our Policies and Procedures. The policy starts on 1 January 2010 and will operate until replaced. Copies of the current policy and its attachments can be obtained from the AAWD website at www.sports.org.au and from our office located in Building A, 6 Figtree Drive, Sydney Olympic Park NSW 2127.

For information on the rights, responsibilities and requirements for people involved in our sport at the state and club level, please refer to the member protection policies of the relevant Member Organisations.

3. Who this Policy Applies To

This national policy applies to the following people operating at or representing the national level, whether they are in a paid or unpaid/voluntary capacity:

- 3.1 Persons appointed or elected to national boards, committees and sub-committees;
- 3.2 Employees of AAWD;
- 3.3 Members of the AAWD Executive;
- 3.4 Support personnel appointed or elected to national teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- 3.5 National coaches and assistant coaches;
- 3.6 National representative athletes;
- 3.7 National referees, umpires and other officials involved in the regulation of the sport;
- 3.8 Members, including life members of the national body, and those eligible to apply for AAWD Funds Grants;
- 3.9 Athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by AAWD;
- 3.10 Any other person 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;

This policy also applies to the following organisations:

- 3.12 Member organisations;

3.13 Sports Sub-Committees

Member organisations are required to adopt and implement this policy and to provide proof to the AAWD of the approval of the policy by the relevant board in accordance with its constitution. Member organisations must also undertake to ensure that affiliated Clubs and individual Members are bound by this policy and are made aware of this policy and what it says.

This policy will continue to apply to a person, even after they have stopped their association or employment with AAWD, if disciplinary action against that person has commenced.

4. Responsibilities of the Organisation

The AAWD, its member organisations and affiliated organisations must:

- 4.1 Adopt, implement and comply with this policy;
- 4.2 Make such amendments to its/their Constitution, Rules or Policies necessary for this policy to be enforceable;
- 4.3 Publish, distribute and promote this policy and the consequences of breaches;
- 4.4 Promote and model appropriate standards of behaviour at all times;
- 4.5 Promptly deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner;
- 4.6 Apply this policy consistently;
- 4.7 Recognise and enforce any penalty imposed under this policy;
- 4.8 Ensure that a copy of this policy is available or accessible to the persons and organisations to whom this policy applies;
- 4.9 Use appropriately trained people to receive and manage complaints and allegations e.g. Member Protection Information Officers (MPIOs);
- 4.10 Monitor and review this policy at least annually.

5. Individual Responsibilities

Individuals bound by this policy are responsible for:

- 5.1 Making themselves aware of the policy and complying with its standards of behaviour;
- 5.2 Complying with our screening requirements and any state/territory Working with Children checks;
- 5.3 Placing the safety and welfare of children above other considerations;
- 5.4 Being accountable for their behaviour;
- 5.5 Following the procedures outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour; and
- 5.6 Complying with any decisions and/or disciplinary measures imposed under this policy.

6. Position Statements

6.1 Child Protection

AAWD acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. AAWD aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

- Prohibiting any form of abuse against children;

- Ensuring people have completed a satisfactory Working with Children Check where the relevant state/territory law requires this (state/territory requirements are summarised in Part C of this policy);
- Carefully selecting and screening people over the age of 16 years who work, coach or have regular unsupervised contact with children;
- Promoting and enforcing our codes of behaviour, particularly for roles associated with juniors;
- Responding to all reports and complaints of abuse promptly, seriously and confidentially;
- Making information about child protection available, particularly for roles associated with children;
- Adopting practices that reduce risks and provide the greatest opportunity of having a child safe environment.

Anyone who reasonably suspects that a child has been or is being abused by someone within our sport, is to report it immediately to the police or relevant government agency and EO of the AAWD. Descriptions of the sorts of activity which may be abuse are in the Dictionary at clause 10. If anyone suspects that a child is being abused by his or her parent/s, they are advised to contact the relevant government department for youth, family and community services in their state/territory.

A person will not be victimised for reporting possible child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in attachment D4.

6.2 Taking Images of Children

Images of children can be used inappropriately or illegally. The AAWD requires that individuals and organisations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If the AAWD uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. We will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by pedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc.

We require our members, member organisations and affiliated clubs to do likewise.

6.3 Anti-Discrimination and Harassment

The AAWD opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying, based on personal characteristics such as those listed in the Dictionary at clause 10, are against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in attachment D1 of this policy. This will explain what to do about the behaviour and how the AAWD will deal with the problem.

6.4 Sexual Relationships

AAWD takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided as these relationships can have harmful effects on the individual athlete involved, on other athletes and coaches, and on the sport's public image. Such relationships may be intentionally or unintentionally exploitative due to a disparity between coaches and athletes in terms of authority, power, maturity, status, influence and dependence.

Should a sexual relationship exist between an athlete and coach, AAWD will consider whether any action is necessary. Factors that may be relevant in this consideration are the age and maturity of the athlete relative to the coach, the financial or emotional dependence of the athlete on the coach, and the likelihood of the relationship having any adverse impact on the athlete and/or other athletes. If it is determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. Action may include transfer, a request for resignation or dismissal from coaching duties.

In the event that an athlete attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. The coach or athlete may wish to approach the AAWD's MPIO or complaints officer or other designated person if they feel harassed. Our complaints procedure is outlined in Attachment D1 of this policy.

6.5 Pregnancy

Everyone bound by this policy must treat pregnant women with dignity and respect and any unreasonable barriers to participation by them in our sport should be removed. We will not tolerate any discrimination or harassment against pregnant women.

While many sporting activities are safe for pregnant women, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the sporting activity and the particular pregnant woman's circumstances. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport.

The AAWD recommends that pregnant women wanting to participate in our sport consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation. We will only require pregnant women to sign a disclaimer if we require other participants to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

6.6 Gender Identity

Everyone bound by this policy must treat people who identify as transgender fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender. Descriptions of the types of behaviour which could be regarded as transgender discrimination or harassment are provided in the Dictionary at clause 10.

AAWD recognises that the exclusion of transgender people from participation in sporting events has significant implications for their health, well-being and involvement in community life. In general AAWD will facilitate transgender persons participating in our sport with the gender with which they identify.

AAWD also recognises there is debate over whether a male to female transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country. If issues of performance advantage arise, AAWD will seek advice on the application of those laws in the particular circumstances.

AAWD is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends competing at an elite level, we will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by AAWD.

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.

6.7 Anti-Doping Policy

The organisation adopts the Australian Paralympic Committee's Anti-Doping Policy adopted by the APC Board and effective 1 January 2009. A copy of the policy is available from www.sports.org.au or from Building A, 6 Figtree Dr, Sydney Olympic Park NSW 2127.

6.8 Health & Safety Policy

Management must ensure that safe work practices and procedures are in place to protect team members. The Occupational Health and Safety Committee:

- Facilitates communication on Health & Safety issues and ensures legislation is incorporated into all areas of our business.
- Ensures risks in the workplace are rectified quickly and effectively.
- Regularly reviews Health & Safety policies.
- Everyone should be aware of and comply with Occupational Health and Safety Acts and follow these guidelines:
- Team members have a duty of care for their own health and safety and that of colleagues and the public.
- Workplace accidents must be reported to a Committee member or management within 24 hours of the accident occurring. An Accident Report Form (Attachment E6) should be completed and a copy kept on file.
- The following sections relate to employees:
- If the injuries are serious and an employee needs to visit a doctor, obtain a certificate to certify that the employee is fit or unfit for work, detailing the extent of the injury and how much time is needed for rehabilitation. If the employee has to take time off work due to a work related accident they should complete the form at Attachment E6 and they will be paid according to their employment entitlements.
- Employees are covered under Workcover with the annual levy paid by the employer. Claims must be made within the specified time and employees given the opportunity for rehabilitation programs according to the extent of their injuries and needs in returning to work.
- The **Return to Work Policy** is coordinated by management to ensure that the injured employee is made aware of how the program operates and has access to necessary services for their rehabilitation.
- Help the injured employee remain at work or to return as soon as possible after the injury. Consider suitable employment, including modified job tasks, consistent with medical opinion. It is a legal requirement that an injured employee is offered work of 'equal value' to that prior to the injury occurred
- Liaise with all parties involved in the rehabilitation, including the medical services, and monitor the progress of the injured employee.
- Develop, in conjunction with the employee and medics, an individual Return to Work Plan for any employee who is unable to work for 20 calendar days or more. The Plan should be signed by the employee and management.
- Ensure that any employee who participates in the Return to Work program will not be discriminated against.

Where team members are travelling to a sporting competition, all should sign the declaration contained in Attachment E7. This is to protect all involved.

6.9 Conflicts of Interest Policy

Care must be taken to avoid conflicts of interests, which could jeopardise our reputation or hinder our ability to make a fair decision.

It is unethical for team members and employees to accept bribes, gifts of money or presents from people or organisations trying to influence decisions or gain extra benefits. Employees breaching these rules will face disciplinary procedures or dismissal in serious cases.

Situations may arise in the workplace that creates a conflict of interest:

- A team member owns a business that would benefit if we sign a contract with them.
- Two team members are in a relationship. Depending on the job roles of the employees, this could affect decision making.
- A Board Member is also employed by our funding body.
- A team member also works for another company that may come into competition or conflict with our organisation.

Solutions to conflicts of interest include:

- A Board Member giving up their right to vote on a particular item presented during a meeting, or not being present during the meeting.
- Resignation or taking leave from a job.
- An employee not taking part in a particular discussion.

6.10 Privacy Policy

Our organisation has implemented the Commonwealth Privacy Act 1988, which affects the way we collect and use personal information on team members and clients. We often know private details, for example about team members' medical situations, which we only pass on to relevant team staff and event organisers in order to facilitate participation.

- Personal information will not be discussed except in an employment context and then only with persons who need to know. It may be disclosed if required by law, in which case a written record of disclosure must be held on file. Other disclosure must be authorised in advance by the person we hold data on.
- When working with sensitive information such as personal details, we will take care to ensure that items are stored securely in a locked filing cabinet as soon as they are finished with, especially at the end of the working day. Computer files should be protected.
- Clients and employees have a general right of access to their own records.
- Tax File Numbers can only be used for tax related or superannuation activities. They cannot be used as a code to identify individuals in the workplace.
- We should only collect and store personal information if it is necessary. The data should be accurate, complete and up to date. Sensitive data (e.g. racial, ethnic, political, religious) must only be collected if required by law or if the person has consented.
- Our Privacy Policy, as detailed in this section, must be made available to anyone who asks for it.

6.11 Other relevant policies

Other AAWD relevant policies can be found at www.sports.org.au.

7. Complaints Procedures

7.1 Complaints

AAWD aims to provide a simple procedure for complaints based on the principles of procedural fairness (natural justice). Any person (a complainant) may report a complaint about a person/s or organisation bound by this policy (respondent). Such complaints should be reported to Amanda Garland the MPIO for AAWD at admin@littersolutions.com.au

The lowest level at which a matter can be dealt with shall always be preferred. Therefore, if a complaint relates to behaviour or an incident that occurred at the:

- state level or involves people operating at the state level, then the complaint should be reported to and handled by the relevant state organisation in the first instance; or
- club level or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.

Only matters that relate to or occur at the national level and the most serious cases from club and state level should be referred to the national body.

A complaint may be dealt with informally or formally. The complainant usually decides this unless the MPIO of the AAWD considers that the complaint falls outside this policy and would be better dealt with another way and/or the law requires the complaint/allegation to be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in attachment D1.

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

7.2 Vexatious Complaints & Victimisation

AAWD aims for our complaints procedure to have integrity and be free of unfair repercussions or victimisation. If at any point in the complaints process the MPIO considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the Chairperson for appropriate action which may include disciplinary action against the complainant.

AAWD will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures can be imposed on anyone who harasses or victimises another person for making a complaint.

7.3 Mediation

AAWD aims to resolve complaints with a minimum of fuss. Complaints may be resolved by agreement between the people involved with no need for disciplinary action. Mediation allows those involved to be heard and to come up with mutually agreed solutions.

Mediation 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 MPIO will, in consultation with the complainant, arrange for a neutral third party mediator where possible. Lawyers are able to negotiate on behalf of the complainant and/or the respondent. More information on the mediation process is outlined in attachment D2.

7.4 Tribunals

A Tribunal may be convened to hear a formal complaint:

- referred to it by EO;
- Referred to it or escalated by a state organisation because of the serious nature of the complaint, or unable to be resolved at the state level, or the state policy directs it to be; and/or
- for an alleged breach of this policy.

Our Tribunal procedure is outlined in attachment D5.

A respondent may lodge an appeal only 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 attachment D5.

Every organisation bound by this policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

8. What is a Breach of this policy

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

- 8.1 Breaching the Codes of Behaviour (attachment B to this policy);
- 8.2 Bringing the sport and/or the NSOAAWD into disrepute, or acting in a manner likely to bring the sport and/or the AAWD into disrepute;
- 8.3 Failing to follow AAWD policies (including this policy) and procedures for the protection, safety and welfare of children;
- 8.4 Discriminating against, harassing or bullying (including cyber bullying) any person;
- 8.5 Victimising another person for reporting a complaint;
- 8.6 Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- 8.7 Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 8.8 Disclosing to any unauthorised person or organisation any AAWD information that is of a private, confidential or privileged nature;
- 8.9 Making a complaint they **knew** to be untrue, vexatious, malicious or improper;
- 8.10 Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- 8.11 Failing to comply with a direction given to the individual or organisation during the discipline process.

9. Disciplinary Measures

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. Any disciplinary measure imposed under this policy must:

Be applied consistent with any contractual and employment rules and requirements;

Be fair and reasonable;

Be based on the evidence and information presented and the seriousness of the breach; and

Be determined in accordance with our Constitution, By Laws, this policy and/or Rules of the sport.

9.1 Individual

Subject to contractual and employment requirements, if a finding is made by a Tribunal that an individual has breached this policy, one or more of the following forms of discipline may be imposed:

- 9.1.1 A direction that the individual make a verbal and/or written apology;
- 9.1.2 A written warning;
- 9.1.3 A direction that the individual attend counselling to address their behaviour;
- 9.1.4 A withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by the AAWD;
- 9.1.5 A demotion or transfer of the individual to another location, role or activity;
- 9.1.6 A suspension of the individual's membership or participation or engagement in a role or activity;
- 9.1.7 Termination of the individual's membership, appointment or engagement;

- 9.1.8 A recommendation that the AAWD terminate the individual's membership, appointment or engagement;
- 9.1.9 In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- 9.1.10 A fine;
- 9.1.11 Any other form of discipline that the Tribunal considers appropriate.

9.2 Organisation

If a finding is made that AAWD member or affiliated organisation has breached its own or this national Member Protection Policy, one or more of the following forms of discipline may be imposed by Tribunal:

- 9.2.1 A written warning;
- 9.2.2 A fine;
- 9.2.3 A direction that any rights, privileges and benefits provided to that organisation by the national body or other peak organisation be suspended for a specified period;
- 9.2.4 A direction that any funding granted or given to it by the national body or a peak organisation cease from a specified date;
- 9.2.5 A direction that the national body and peak organisations cease to sanction events held by or under the auspices of that organisation;
- 9.2.6 A recommendation to the national body and/or the organisation that its membership of the national body or peak organisation be suspended or terminated in accordance with the relevant constitution or rules; and/or
- 9.2.7 Any other form of discipline that the national body or peak organisation considers to be reasonable and appropriate.

note: ensure the above action can be taken / enforced under your constitution or disciplinary rules—delete any action that cannot be enforced

9.3 Factors to consider

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

- Nature and seriousness of the breach;
- If the person knew or should have known that the behaviour was a breach;
- Level of contrition;
- The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;
- If there have been relevant prior warnings or disciplinary action;
- Ability to enforce discipline if the person is a parent or spectator (even if they are bound by the policy); and/or
- Any other mitigating circumstances.

10. Dictionary

This Dictionary sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. State/Territory specific definitions and more detail on some of the words in this dictionary can be sourced from the relevant State/Territory child protection commissions or equal opportunity and anti-discrimination commissions.

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

Affiliated organisation means state member organisation or a sports sub-committee of an AAWD Member Organisation.

Bullying in the workplace relates to repeated behaviour that a reasonable person, would anticipate to be humiliating, intimidating, undermining or threatening or which causes risk to health or safety. The following types of behaviour, where repeated as part of a pattern of behaviour, would be considered to be “bullying”:

- Verbal abuse;
- The use of offensive language;
- Exploiting or isolating employees;
- Persistent teasing, joking or holding a person up to ridicule;
- Speaking to another person in the workplace in a manner which is sarcastic or which is designed to humiliate;
- Sending offensive or humiliating emails;
- Assigning meaningless tasks unrelated to the job;
- Deliberately changing working hours to inconvenience particular employees;
- Deliberately withholding information that is vital for effective work performance; or
- Sabotaging another employee’s work.

Child means a person who is under the age of 18 years

Child abuse involves conduct which puts children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms, including verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

- Physical abuse by hurting a child or a child’s development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child’s development or maturity).
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).
- Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).
- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

Complaint means a complaint made under clause 8.1 of this policy.

Complainant means a person making a complaint.

Complaint Handler/Manager means a person appointed under this policy to investigate a Complaint

Discrimination means treating or proposing to treat someone less favourably because of a particular characteristic in the same or similar circumstances in certain areas of public life (Direct Discrimination), or imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics (Indirect Discrimination). The characteristics covered by discrimination law across Australia are:

- Age;
- Disability/impairment;
- Family/carer responsibilities;

- Gender identity/transgender status;
- Homosexuality and sexual orientation;
- Irrelevant medical record;
- Irrelevant criminal record;
- Marital status;
- Parental/carer status;
- Physical features;
- Political belief/activity;
- Pregnancy and breastfeeding;
- Race;
- Religious belief/activity;
- Sex or gender;
- Sexual Orientation
- Social origin;
- Trade union membership/activity;
- Transgender Orientation.

Examples of Discrimination

- **Age:** A club refuses to allow an older person to coach a team simply because of age.
- **Breastfeeding:** A member of the club who is breastfeeding a baby in the club rooms is asked to leave.
- **Disability:** A junior player is overlooked because of mild epilepsy.
- **Family responsibilities:** A club decides not to promote an employee because he has a child with a disability even though the employee is the best person for the job.
- **Gender Identity:** A transgender contract worker is harassed when employees refuse to call her by her female name.
- **Homosexuality:** An athlete is ostracised from her team after it becomes known that she is a lesbian.
- **Marital Status:** A player is deliberately excluded from team activities and social functions because she is single
- **Pregnancy:** A woman is dropped from a squad when she becomes pregnant.
- **Race:** An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.
- **Sex:** Specialist coaching is only offered to male players in a mixed team.

Harassment is any type of behaviour that the other person does not want and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and a reasonable person would recognise it as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment is sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some other characteristic (see characteristic list under discrimination).

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal.

Discrimination and harassment are not permitted in employment (including volunteer and unpaid employment); when providing sporting goods and services including access to sporting facilities; when providing education and accommodation; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any player or other person to any competition and the obtaining or retaining membership of clubs and organisations (including the rights and privileges of membership).

Some exceptions to state and federal anti-discrimination law apply. Examples include:

- holding a competitive sporting activity for females only who are under 12 years of age or of any age where strength, stamina or physique is relevant or
- 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.

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law.

It is also a breach of discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment. Example: a player is ostracised by her male coach for complaining about his sexist behaviour or for supporting another player who has made such a complaint.

Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see vilification.

Junior means a person under the age of twenty-one (21) years who is participating in an activity of the AAWD, its member organisations or affiliated organisations.

Mediator means an impartial/neutral person appointed to mediate Complaints.

Member Organisation means Wheelchair Sports Australia (WSA), Cerebral Palsy Australia Sport and Recreation Federation (CPASRF), Australian Sports Organisation for the Disabled (ASOD) and any other Nationals Sports Organisation for the Disabled that pays membership fees to AAWD.

Member protection is a term used by the Australian sport industry to describe the practices and procedures that protect members – both individual members such as players, coaches and officials, and the member organisations such as clubs, state person, other affiliated person and the national body.

Member protection involves:

- protecting those that are involved in sport activities from harassment, abuse, discrimination and other forms of inappropriate behaviour
- adopting appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with juniors, and
- providing education.

Member Protection Information Officer (MPIO) means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy.

Natural justice (also referred to as procedural fairness) incorporates the following principles:

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

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

Policy and this policy means this Member Protection Policy.

Respondent means the person who is being complained about.

Role-specific codes of conduct (or behaviour) means standards of conduct required of certain roles (e.g. coaches).

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

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

Sexual offence means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under state/territory legislation):

- Rape
- Indecent assault
- Sexual assault
- Assault with intent to have sexual intercourse
- Incest
- Sexual penetration of child under the age of 16
- Indecent act with child under the age of 16
- Sexual relationship with child under the age of 16
- Sexual offences against people with impaired mental functioning
- Abduction and detention
- Procuring sexual penetration by threats or fraud
- Procuring sexual penetration of child under the age of 16
- Bestiality
- Soliciting acts of sexual penetration or indecent acts
- Promoting or engaging in acts of child prostitution
- Obtaining benefits from child prostitution
- Possession of child pornography
- Publishing child pornography and indecent articles.

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

Victimisation means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under government legislation (e.g. anti-discrimination) or under this Policy, or for supporting such a person.

Vilification involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of discrimination. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

Young People/person means people in the 13 – 18 year age group.

PART B: CODES OF BEHAVIOUR

Attachment B1: GENERAL CODE OF CONDUCT

As a member of Australian Athletes with a Disability (AAWD), a member organisation or affiliated club, or another person required to comply with AAWD's Member Protection Policy, you must meet the following requirements in regard to your involvement in any activity held or sanctioned by AAWD, a member organisation or affiliated club.

1. Respect the rights, dignity and worth of others
2. Be fair, considerate and honest in all dealings with others
3. Be professional in and accept responsibility for your actions
4. Be aware of and abide by all AAWD's Policies and Procedures
5. Be aware of and maintain an uncompromising adherence to your sport's standards, rules, regulations and policies
6. Operate within the rules of your sport/s including national and international governing guidelines
7. Do not use your involvement to promote your own beliefs, behaviours or practices where these are inconsistent with those of AAWD, a member organisation or affiliated club
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
11. Refrain from any behaviour which may bring your sport, your team, AAWD, a member organisation or affiliated club into disrepute
12. Ensure a safe environment for the conduct of all activities
13. Show concern and caution towards others who may be sick or injured
14. Be a positive role model
15. Maintain the confidentiality of any information you may come across in the course of your involvement with AAWD, a member organisation or affiliated club.
16. Understand the repercussions if you breach or are aware of any breaches of this Code of Conduct

Attachment B2: ADMINISTRATOR CODE OF CONDUCT

In addition to AAWD's General Code of Conduct (Appendix B1), you must also meet the following in regard to your conduct during any activity held by or under the auspices of AAWD, a member organisation or affiliated club and in your role as an administrator:

1. Resolve an conflicts fairly and promptly through established procedure
2. Maintain strict impartiality
3. Be aware of your legal responsibilities

Attachment B3: COACH CODE OF CONDUCT

In addition to AAWD's General Code of Conduct (Appendix B1), you must also meet the following in regard to your conduct during any activity held by or under the auspices of AAWD, a member organisation or affiliated club and in your role as a coach appointed by AAWD, a member organisation or affiliated club:

1. Do not tolerate acts of aggression
2. Provide feedback to athletes and other participants in a manner sensitive to their needs. Avoid overly negative feedback
3. Be reasonable in my demands of athletes and other team staff
4. Be consistent, objective and courteous when making decisions
5. Recognise athletes' rights to consult with other coaches and advisors. Co-operate fully with other specialists (e.g. sports scientists, doctors, physiotherapists etc)
6. Treat all athletes fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status and other conditions
7. Encourage and facilitate athletes' independence and responsibility for their own behaviour, performance, decisions and actions
8. Involve the athletes in decisions that affect them
9. Encourage athletes to respect one another and to expect respect for their worth as individuals regardless of their level of play
10. Ensure that the tasks and/or training set are suitable for the age, experience, ability and physical and psychological conditions of the athletes
11. Ensure any physical contact with athletes is appropriate to the situation and necessary for the athlete's skill development
12. Be acutely aware of the power that you as a coach develop with your athletes in the coaching relationship and avoid any sexual intimacy with athletes that could develop as a result
13. Avoid any situations with your athletes that could be construed as compromising
14. Actively discourage the use of performance enhancing drugs and the use of alcohol, tobacco and illegal substances
15. Refrain from using offensive or abusive language

16. Do not exploit any coaching relationship to further personal, political or business interests at the expense of the best interests of your athletes
17. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules
18. Condemn unsporting behaviour
19. Know and abide by rules, regulations and standards, and encourage athletes to do likewise. Accept both the letter and spirit of the rules
20. At all times when traveling to and from and whilst participating in a sporting or social event, dress in team uniform or other attire appropriate to the occasion.
21. Be honest and ensure that qualifications are not mis-represented

Attachment B4: OFFICIAL CODE OF CONDUCT

In addition to AAWD's General Code of Conduct (Appendix B1), you must also meet the following in regard to your conduct during any activity held by or under the auspices of AAWD, a member organisation or affiliated club and in your role as an official appointed by AAWD, a member organisation or affiliated club:

1. Place the safety and welfare of the athletes/participants above all else
2. Accept responsibility for all actions taken
3. Be impartial in all dealings
4. Avoid any situation which may lead to conflict of interest
5. Be courteous, respectful and open to discussion and interaction
6. Value the individual in the sport
7. Know and abide by current rules, regulations and standards. Enforce both the letter and spirit of the rules
8. Be honest and ensure that qualifications are not mis-represented

Attachment B5: ATHLETE CODE OF CONDUCT

In addition to AAWD's General Code of Conduct (Appendix B1), you must also meet the following in regard to your conduct during any activity held by or under the auspices of AAWD, a member organisation or affiliated club and in your role as an athlete/participant in such activities:

1. Respect the rights, dignity and worth of fellow athletes, team staff, officials and spectators
2. Do not tolerate acts of aggression
3. Respect the talent, potential and development of fellow athletes and competitors
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. Conduct yourself in a professional manner relating to language, temper and punctuality
8. Maintain high personal behaviour standards at all times
9. Abide by the rules and respect the decisions of the officials, making any appeals through the formal processes and respecting the final decision
10. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team
11. Co-operate with coaches and staff in the development of programs to adequately prepare you for competition at the highest level
12. Take advantage of any opportunities to have input to the team and/or program
13. Treat all athletes fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status and other conditions
14. Avoid the use of performance enhancing drugs and the use of alcohol, tobacco and illegal substances and actively encourage other athletes to do the same
15. Refrain from using offensive or abusive language
16. Condemn unsporting behaviour
17. Know and abide by rules, regulations and standards, and encourage team-mates to do likewise. Accept both the letter and spirit of the rules
18. At all times when traveling to and from and whilst participating in a sporting or social event, dress in team uniform or other attire appropriate to the occasion.

Attachment B6: CLASSIFIER CODE OF CONDUCT

In addition to AAWD's General Code of Conduct (Appendix B1), you must also meet the following in regard to your conduct during any activity held by or under the auspices of AAWD, a member organisation or affiliated club and in your role as a classifier appointed by AAWD, a member organisation or affiliated club:

1. Respect the rights, dignity and worth of all athletes
2. Explain all testing in a clear and comprehensive manner
3. Explain all results and decisions in a clear and comprehensive manner, checking the athlete's understanding of these decisions
4. Be courteous, respectful and open to discussion and interaction with an athlete or their designated representative (e.g. parent, team staff member etc)
5. At all times conduct yourself in a professional manner
6. Be fair and impartial in dealings with all athletes
7. Accept responsibility for all actions

Attachment B7: TEAM STAFF CODE OF CONDUCT

In addition to AAWD's General Code of Conduct (Appendix B1), you must also meet the following in regard to your conduct during any activity held by or under the auspices of AAWD, a member organisation or affiliated club and in your role as a member of team staff appointed by AAWD, a member organisation or affiliated club:

1. Respect the rights, dignity and worth of all athletes, team staff, officials and spectators
2. Do not tolerate acts of aggression
3. Conduct yourself in a professional manner relating to language, temper and punctuality
4. Maintain high personal behaviour at all times
5. Co-operate with athletes and other staff in the development of programs to adequately prepare athletes for competition at the highest level
6. Treat all athletes fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status and other conditions
7. Encourage and facilitate athletes' independence and responsibility for their own behaviour, decisions, performance and actions
8. Encourage all team members to respect one another and to expect respect for their worth as an individual
9. Avoid situations with team members that may be construed as compromising
10. Actively discourage the use of performance enhancing drugs and the use of alcohol, tobacco and illegal substances
11. Ensure any physical contact with athletes is appropriate to the situation
12. Refrain from using offensive or abusive language
13. Condemn unsporting behaviour
14. At all times act in the best interests of the athletes and/or team
15. At all times when traveling to and from and whilst participating in a sporting or social event, dress in team uniform or other attire appropriate to the occasion

Attachment B8: PARENT/GUARDIAN CODE OF CONDUCT

In addition to AAWD's General Code of Conduct (Appendix B1), as a parent/guardian of an athlete/participant in any activity held by or under the auspices of AAWD, a member organisation or affiliated club, you must meet the following requirements in regard to your conduct:

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 or 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, official, spectators etc)
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

Attachment B9: SPECTATOR CODE OF CONDUCT

In addition to AAWD's General Code of Conduct (Appendix B1), as a spectator of any activity held by or under the auspices of AAWD, a member organisation or affiliated club, you must meet the following requirements in regards to your conduct during any such activity:

1. Respect the decisions of officials and teach young people to do the same
2. Never ridicule or scold an athlete 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 (including foul language, sledging of 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

PART C: SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

Background

Child protection is about keeping children safe from harm/abuse. Child abuse is illegal, and all states and territories have their own systems and laws that cover screening and/or the reporting and investigation of cases of child abuse.

Working with Children Check (WWCC) laws aim to prevent people who pose a risk from working with children as paid employees or volunteers. In New South Wales, Queensland, Western Australia, Victoria and South Australia laws require individuals involved in areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with children. This is done by checking certain criminal history and other matters. In some states this also involves reviewing relevant findings from disciplinary proceedings. There are also requirements placed on organisations.

The Northern Territory government has passed new law and screening will be compulsory from January 2010. The Australian Capital Territory and Tasmania are currently reviewing their screening laws. New requirements and amendments will be added to this policy as they are introduced.

Please be aware that state and territory WWCC requirements may also apply to individuals who visit states with screening laws. For example, if a state organisation or affiliated club takes players U18 into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with NSW law.

The state WWCC requirements apply regardless of our national, state or club Member Protection Policy.

The following attachments provide:

- summary information on state and territory WWCC requirements and where to obtain more information and relevant forms
- our Member Protection Declaration (for all states/territories except NSW who must complete a Prohibited Employment Declaration provided by the NSW Commission for Children and Young People)
- our screening requirements for people residing in ACT and Tasmania

Attachment C1: SCREENING REQUIREMENTS for states/territories without Working With Children Checks such as ACT and Tasmania

This attachment sets out the screening process for people in the AAWD who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years.

The AAWD will, and also requires state organisations and affiliated clubs to:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed *Member Protection Declaration* (MPD) (Attachment C2) from all people who are identified in the above step and keep it in a secure place.
3. Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
5. Ask the people identified in step 1 to sign a consent form for a national police check.
6. Possibly request (or ask the person to request) a national 'Part Exclusion' police check from our relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we 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.
7. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under our policy. If unsatisfied, we will not appoint them.
8. Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
10. 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.

Attachment C2: MEMBER PROTECTION DECLARATION

The AAWD has a duty of care to all those associated with the sport at the national level and to the individuals and organisations to whom our national Member Protection Policy applies. As a requirement of our national Member Protection Policy, the AAWD must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

I (name) of

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

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence.
3. 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.
4. I am not currently serving a sanction for an anti-doping rule violation under an ASADA approved anti-doping policy applicable to me.
5. 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.
6. To my knowledge there is no other matter that the AAWD may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the EO of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in clauses 1 to 6 above has changed.

Declared in the State/Territory of

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

Parent/Guardian Consent (in respect 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 C3: WORKING WITH CHILDREN CHILD PROTECTION REQUIREMENTS

The following information was updated in April 2009. It is subject to change at any time.

1. QUEENSLAND

A person will need a Working with Children Check, also known as the blue card, if they propose to work in a paid or voluntary capacity or to carry on a business in a child-related area regulated by the *Commission for Children and Young People and Child Guardian Act 2000*. Once a person is checked and approved they are issued with a “blue card.” Volunteers and paid employees employed in sporting organisations generally fall under the ‘churches, clubs and associations’ category of regulated employment. Volunteers and paid employees employed in private businesses may fall under the ‘sport and active recreation’ category of regulated employment. The check is a detailed national criminal history check including charges and investigations relating to children.

People such as those with previous convictions involving children are disqualified from applying for or renewing a blue card (refer to website below for details).

A blue card remains current for two years. Existing card holders will be notified by the Queensland Commission for Children and Young People and Child Guardian before their card expires.

In addition to obligations regarding the blue card, employers must develop and implement a written child protection risk management strategy and review it each year.

For more information on the blue card, including current forms:

- www.cypg.qld.gov.au
- 1800 113 611

2. NEW SOUTH WALES

All organisations within NSW that employ people in child-related employment (in a paid or unpaid capacity) must meet the requirements of the Working with Children Check (WWCC). Child related employment is work which primarily involves direct unsupervised contact with children. The WWCC involves three components:

1. **Ensuring** all paid and unpaid employees sign a [Prohibited Employment Declaration](#) which states they are not prohibited from working with children.
2. **Submitting** all applicants for **paid** employment to NSW Sport and Recreation for a WWCC background check. NSW Sport and Recreation only carries out checks for paid employees.
3. **Reporting** relevant employment proceedings for any paid and unpaid employees to the Commission for Children and Young People. A relevant employment proceeding involves any reportable conduct committed outside of work as well as in the workplace with or in the presence of a child/ren.

Sporting organisations are responsible for managing the WWCC process. Individuals cannot apply for a WWCC directly. Sporting organisations should register with [NSW Sport and Recreation](#), providing a contact who will receive the information on the background checks.

A WWCC is valid for employment in that position within the organisation. Short-term employees (where that person is being employed for periods of less than six months and returning for short periods throughout a 12 month period) only need to be checked **once** every 12 months.

For more information, including the required forms:

- www.kids.nsw.gov.au or 02 9286 7219
- www.dsr.nsw.gov.au/children/resources.asp or 02 9006 3700

3. WESTERN AUSTRALIA

The Working with Children Check (WWC Check) is a compulsory and rigorous criminal record check for certain people who carry out 'child-related work' in WA. A person is in 'child-related work' if the usual duties of their work involves, or is likely to involve contact with a child in connection with specified categories of work (see the website below for further details) It includes child-related work carried out by paid employees, volunteers, unpaid people and the self-employed. Parents volunteering in connection with their child's activity are exempt (although this does not apply to overnight camps); however they should still be required to complete the non-WWC Check screening process. There are other exemptions, for example volunteers under 18 years old. Further details about exemptions can be found on the website below. Only those in child-related work under the Act may apply.

Applicants will be issued with either:

- An Assessment Notice in the form of a WWC Card enabling them to be in all types of child-related work for three years unless there are new offences of concern.
- An Interim Negative Notice, which prohibits them from child-related work until a final decision is made on their application.
- A Negative Notice, which prohibits them from child-related work.

There are set obligations and strong penalties for non-compliance including for employers and volunteer co-coordinators.

For more information:

- www.checkwwc.wa.gov.au or call 1800 883 979 (toll free)

• VICTORIA

The Working with Children (WWC) Check creates a mandatory minimum checking standard across Victoria. The *Working with Children Act 2005* requires that some people who work or volunteer in child-related work require a WWC Check. The check involves a national police records check and a review of relevant findings from prescribed professional disciplinary bodies (currently only the Victorian Institute of Teaching). There is an exemption for volunteers whose own children are involved in the particular activity; however they should still be required to complete the screening process.

A person who has no criminal or professional disciplinary history will be granted an *assessment notice*. This notice will entitle the person to undertake child-related work in Victoria and is valid for five years (unless revoked). A person deemed unsuitable to work or volunteer with children will be given a *negative notice* and cannot work in child-related work in Victoria.

For more information:

- www.justice.vic.gov.au/workingwithchildren or 1300 652 879

5. SOUTH AUSTRALIA

There are provisions under the *Children's Protection (Miscellaneous) Amendment Act 2005* that apply to non-government and volunteer organisations that are entrusted with the care of children or who regularly come into contact with children. Part of the Government regulations are 'Seven Principles of Good Practice' which clubs and organisations are expected to adopt as proactive and preventative strategies. These principles are to help prevent and minimise opportunities for abuse and to appropriately respond when abuse occurs or is suspected. The principles can be assessed at the following link:

http://www.recsport.sa.gov.au/training-development/documents/Keep_Children_Safe_Guidelines.pdf

Criminal history assessments (checks) are likely to be mandatory for most positions in sporting organisations from 2010/2011. Some exemptions could apply.

Staff and volunteers who work with children are mandated notifiers and have a legal obligation to report any suspected child abuse and/or neglect.

For more information:

- <http://www.dfc.sa.gov.au/pub/Default.aspx?tabid=281>

6. NORTHERN TERRITORY

From January 2010, all persons employed in child related work, either paid or as a volunteer, must hold a valid clearance notice issued by the SAFE NT Screening Authority. There are penalties for failure to comply. Sports coaches, trainers, team administrators, officials and volunteers of Sporting Organisations that deal with children are caught.

Clearance notices are valid for two years from date of issue unless revoked, and are transferable within employment fields. As a part of the assessment process, SAFE NT will consider the applicant's criminal history record and other relevant information.

For more information contact 1800 SAFE NT (1800 723 368)

PART D: COMPLAINT HANDLING PROCEDURES

Attachment D1: COMPLAINTS PROCEDURE

All 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 you wish to remain anonymous, the AAWD may have difficulty assisting you to resolve your complaint. Procedural fairness (natural justice) means that the AAWD 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.

INFORMAL APPROACHES

Step 1: Talk with the other person (where this is reasonable 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.

Step 2: Contact a Member Protection Information Officer

Talk with one of our Member Protection Information Officers (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.

A list of our sport's MPIOs can be obtained by contacting our office.

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.

Step 3: Outcomes from initial contact

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 a MPIO); or
- 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 your complaint is not resolved or informal approaches are not appropriate or possible, you may:

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

On receiving a formal complaint and based on the material you have provided, the Executive Officer or Board Chair 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 appoint a person to **investigate** (gather more information on) the complaint;
- to refer the complaint to mediation;
- to refer the complaint to a hearings tribunal;
- 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 Executive Officer or Board Chair 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);
- 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.

If Executive Officer or Board Chair is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

- 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;
- decide if they have enough information to determine whether the matter alleged in your complaint did or didn't happen; and/or
- determine what, if any, further action to take. This action may include disciplinary action in accordance with this policy.

Step 5: Investigation of the complaint

- A person appointed under Step 3 will conduct an investigation and provide a written report to Executive Officer or Board Chair who will determine what further action to take;
- If the complaint is referred to mediation, it will be conducted in accordance with Attachment C2 or as otherwise agreed by you and the respondent and the mediation provider;
- If the complaint is referred to a hearings tribunal, the hearing will be conducted in accordance with Attachment C5 or;
- If the complaint is referred to the police or other appropriate authority, the AAWD 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 (e.g. investigation and/or mediation and/or hearings tribunal) are to be met by AAWD unless otherwise stated in the relevant Attachment.

Step 6: Reconsideration of initial outcome/investigation or appeal

If, under the formal complaint process, mediation is unsuccessful, you may request that the Executive Officer or Board Chair the complaint in accordance with **Step 3**.

You or the respondent(s) may be entitled to appeal. The grounds and process for appeals under this Policy are set out in Attachment C5.

Step 7: Documenting the resolution

The Executive 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 a state/district level, the information will be stored in the state organisation 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 office.

EXTERNAL APPROACHES

There are a range of other options available depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from your State or Territory anti-discrimination commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be harassment within its jurisdiction, you may lodge a formal complaint with the commission.

Once a complaint is received by an anti-discrimination commission, it will investigate. If it appears that unlawful harassment or discrimination has occurred, the commission will conciliate the complaint confidentially. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made. The tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counseling expenses incurred.

If you do lodge a complaint under anti-discrimination law, you may use an appropriate person (e.g. an MPIO) as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

You could also approach another external agency such as the police.

Attachment D2: MEDIATION

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. Mediators provide a supportive atmosphere and method of talking to one another, to assist in sorting out the issues, coming up with acceptable solutions and making mutually satisfactory agreements.

This attachment outlines the general procedure of mediation that will be followed by AAWD.

1. The people involved in a formal complaint (complainant and respondent(s)) may work out their own resolution of the complaint or seek the assistance of a neutral third person or a mediator. Mediation may occur either before or after an investigation of the complaint.
2. Mediation (getting those involved to come to a joint agreement about how the complaint should be resolved) will only be recommended;
 - a. After the complainant and respondent have had their chance to tell their version of events to an MPIO on their own; and
 - b. The MPIO does not believe that any of the allegations warrant any form of disciplinary action – proven serious allegations will not be mediated, no matter what the complainant desires; and
 - c. Mediation looks like it will work (i.e. the versions given by the complainant and respondent tally or almost tally and/or at the very least, it looks as though it will be possible for each party to understand the other party's point of view).
3. Mediation will **not** be recommended if:
 - a. The respondent has a completely different version of events and they won't deviate from these;
 - b. The complainant or respondent are unwilling to attempt mediation; or
 - c. Due to the nature of the complaint, the relationship between you and the respondent(s) and any other relevant factors, the complaint is not suitable for mediation.
4. If mediation is chosen, the MPIO will, under the direction of the AAWD and in consultation with the complainant and the respondent(s), arrange for a mediator.
5. 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.
6. 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.
7. 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.
8. If the complaint is not resolved by mediation, the complainant may:
 - a. Write to Executive Officer or Board Chair to request that the Executive Officer or Board Chair reconsider the complaint in accordance with **Step 3**; or
 - b. Approach an external agency such as an anti-discrimination commission.
9. Mediation will **not** be recommended if:
 - a. The respondent has a completely different version of the events and will not deviate from these;
 - b. The complainant or respondent are unwilling to attempt mediation;
 - c. 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; or
 - d. The matter involves proven serious allegations, regardless of the wishes of the Complainant.

Attachment D3: INVESTIGATION PROCESS

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. The investigator will:
 - 1.1 Interview the complainant and record the interview in writing.
 - 1.2 Convey full details of the complaint to the respondent (s) so that they can respond.
 - 1.3 Interview the respondent to allow them to answer the complaint, and record the interview in writing.
 - 1.4 Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
 - 1.5 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.
 - 1.6 Provide a report to Executive Officer or Board Chair documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
2. We 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.
3. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO).
4. The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Information on our appeals process is in Attachment D5.

Attachment D4: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. It is not the responsibility of anyone working in the AAWD in a paid or unpaid capacity to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns by reporting these to the appropriate authorities. The following outlines the key steps to follow. More information can be obtained from State or Territory government agencies.

Step 1 – Initial Receipt of an Allegation

If a child or young person discloses an allegation involving harm or abuse to them or another child, then it is crucial that you:

- Stay calm;
- Listen, be supportive and do not dispute what the child says;
- Reassure the child that what has occurred is not the fault of the child;
- Be honest with the child and explain that other people may need to be told in order to stop what is happening;
- Ensure you are clear about what the child has said but do not elicit detailed information, ask leading questions or offer an opinion;
- Act promptly to accurately record the discussion in writing;
- Do not discuss the details with any person other than those detailed in these procedures; and
- Do not contact the alleged offender.

Step 2 – Report allegations

- Immediately report any allegation or disclosure of child abuse or situation involving a child at risk of harm, to the police and/or government child protection agency. You may need to report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the complaint should be reported (for example, the allegation may relate to poor/inappropriate practice).
- If the child's parent/s is suspected of committing the abuse, you should report the allegation to the relevant government agency.
- If the allegation involves anyone to whom our policy applies, then also report the allegation to the CEO of the AAWD so that they can manage the situation (e.g. contact the parents following advice from the authorities, deal with any media enquiries and manage steps 3 and 4).

Step 3 – Protect the child and manage the situation

- The Executive Officer will assess the risks and take interim action to ensure the child's/children's safety. Action the AAWD may implement includes redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined. Please be aware it is not the MPIO's role to undertake action such as redeploying someone and seek legal advice if person is in a paid employment.
- The Executive Officer will consider the kind of support that the child/ren and parents may need (e.g. counselling, helplines, support groups).
- The Executive Officer will address the support needs of the alleged offender.
- The Executive Officer will also put in place measures to protect the child and the person against whom the complaint is made from victimisation and gossip. If the person is stood down, it should be made clear to any persons aware of the incident that this does not mean the respondent is guilty and a proper investigation will be undertaken.

Step 4 – Internal action

- Where there is an allegation made against a person to whom this policy applies, there may be three types of investigations:
 - Criminal (conducted by police)
 - Child protection (conducted by child protection authority)
 - Disciplinary or misconduct (conducted by AAWD)
- Irrespective of the findings of the child protection and/or police inquiries, the AAWD will assess the allegation to decide whether the person should be reinstated, banned, have their employment or position terminated or any other action.
- The decision-maker(s) will be The Board of Directors of the AAWD and it will consider all the information, including the findings of the police, government agency and/or court, and determine a finding, recommend action and explain its rationale for the action. This may be a difficult decision particularly where there is insufficient evidence to uphold any action by the police.
- If disciplinary action is to be taken, the procedures outlined in Clause 9 of the policy will be followed.
- If disciplinary action is taken, the AAWD will advise and provide a report to the relevant government authority should this be required (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).

Attachment D5: HEARINGS & APPEALS TRIBUNAL PROCEDURE

The following will be followed by hearings tribunals established by the AAWD to hear national member protection related complaints.

Preparation for Tribunal Hearing

1. A Tribunal Panel will be constituted following the rules outlined in AAWD's Constitution, to hear a complaint that has been referred to it by the Board or Executive Officer. The number of Tribunal members required to be present throughout the hearing will be three (3).
2. The Tribunal members will be provided with a copy of all the relevant correspondence, reports or information received and sent by Executive Officer and/or Board relating to the complaint/allegations.
3. The Tribunal will be scheduled as soon as practicable, but must allow adequate time for the person being complained about (respondent(s)) to prepare their case for the hearing.
4. The Tribunal will not include any person who has any actual or perceived conflict of interest, or bias regarding the matter.
5. The Executive Officer 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; and
 - That legal representation will not be allowed. If the respondent is a minor, they should have a parent or guardian present.

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

The respondent(s) will be allowed to participate in all AAWD activities and events, pending the decision of the Tribunal, including any available appeal process, unless the Executive Officer or Board believes it is necessary to exclude the respondent(s) from all or some AAWD activities and events, after considering the nature of the complaint.

6. The Executive Officer 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 complainant is a minor, they should have a parent or guardian present.

A copy of any 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 Executive Officer 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).

Tribunal Hearing Procedure

9. 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.
10. 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.
11. 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.
12. The Tribunal Chairperson will inform the Executive Officer of the need to reschedule, and the Executive Officer will organise for the Tribunal to be reconvened.
13. 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.
14. 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 (penalty). Ensure the Tribunal has the powers / authorisation to impose any disciplinary measures under your Constitution.
15. 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.
16. 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.
17. 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.

18. 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 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.
19. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
20. If the Tribunal considers that at any time during the Tribunal Hearing that there is any unreasonable or intimidatory behaviour from anyone the Chairperson may stop further involvement of the person in the hearing.
21. 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.
22. All Tribunal decisions will be by majority vote.
23. 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.
24. Within 48 hours, the Tribunal Chairperson will:
 - Forward to the Executive Officer a copy 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.
25. The Tribunal does not need to provide written reasons for its decision.

Appeals Procedure

26. A complainant or a respondent(s) who is not satisfied with the decision of a Complaints Manager, the outcome of mediation or a Tribunal decision can lodge one appeal to the AAWD on one or more of the following bases:
 - 26.1 That a denial of natural justice has occurred; or
 - 26.2 That the disciplinary measure(s) imposed is unjust and/or unreasonable.
 - 26.3 That the decision was not supported by the information/evidence provided to the Complaints Manager/Mediator/Tribunal;
27. A person wanting to appeal in accordance with clause 25 must lodge a letter setting out the basis for their appeal with the Executive Officer within 7 days of the relevant decision. An appeal fee of \$100 shall be included with the letter of intention to appeal.

28. If the letter of appeal is not received by the Executive Officer 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.
29. The letter of appeal and copy of tribunal decision report will be forwarded to the Executive Officer review and decide whether there are sufficient grounds for the appeal to proceed. The AAWD Board may invite any witnesses to the meeting it believes are required to make an informed decision.
30. If the appellant has not shown sufficient grounds for appeal in accordance with clause 25, then the appeal will be rejected. The appellant will be notified with reasons. The appeal fee will be forfeited.
 - a. 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.
 - b. The Tribunal Procedure shall be followed for the appeal.
 - c. The decision of an Appeal Tribunal will be final.

What information provided	
What they are going to do now	

This record and any notes must be kept in a confidential place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to the Board of Directors.

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/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
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"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (category/basis/grounds) Can tick more than one box	<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		

Formal resolution procedures followed (outline)	
If investigated: Finding -	
If went to hearing tribunal: Decision - Action recommended -	
If mediated: Date of mediation - Were both parties present - Terms of 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:

This record and any notes must be kept in a confidential place. If the complaint is of a serious nature, or is escalated to and/or dealt with at the national level, the original must be forwarded to the national body and a copy kept at the club/state/district level (whatever level the complaint was made).

Attachment E3: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Before completing, ensure the procedures outlined in attachment C4 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:	
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 place and provided to the relevant authorities (police and government) should they require them.

Attachment E4: RECORD OF MEDIATION

Present at Mediation	
Date of mediation	
Venue of mediation	
Mediator	
Summary of mediation (minutes attached)	
Outcome of mediation	
Follow-up to occur (if required)	
Completed by: (signature)	
Signed by: Complainant (signature) Respondent (signature)	

This record and any other notes must be kept in a confidential place. Please send the original to AAWD office. Copies should be kept by each party to the mediation as well as the state/local office that facilitated the mediation.

Attachment E5: RECORD OF TRIBUNAL DECISION

Complainant's Name		Date Formal Complaint Received: / /
Role/status in AAWD	<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		
Role/status in AAWD	<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 issue		
Description of alleged issue		
Nature of complaint (basis/grounds/category)	<input type="checkbox"/> Harassment <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Sexuality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Pregnancy <input type="checkbox"/> Disability <input type="checkbox"/> Child Abuse	<input type="checkbox"/> Discrimination <input type="checkbox"/> Selection dispute <input type="checkbox"/> Personality clash <input type="checkbox"/> Bullying <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Physical abuse <input type="checkbox"/> Victimization <input type="checkbox"/> Other
Methods (if any) of attempted informal resolution		
Support person (if any)		
Tribunal Members		
Tribunal Hearing Date and venue		
Tribunal Decision (attach report)		

Action recommended and any follow up report required	
Decision Appealed Date of Appeal lodged	
Appeal Hearing Date	
Appeal Decision (attach report)	
Action Recommended	
Completed by	Name: Position in AAWD: Signature: / /
Signed by:	Complainant Respondent

Attachment E6: ACCIDENT REPORT FORM

Name of Employee:

Address of Employee:

.....

Date of Injury:

Type of Injury:

.....

Brief description of accident:.....

.....

.....

.....

How can this accident be avoided in the future:.....

.....

OFFICE USE ONLY

Insurance Company:

Claims Manager:

Phone:

Fax:

Email:

Attachment E7: INDEMNITY/CONSENT FORM

NAME _____

ADDRESS _____

_____ Post Code : _____

DATE OF BIRTH _____

N.B Please insert your name in the three blank spaces in the declaration below.

I, the undersigned hereby agree that “Wheelchair Sports Australia Ltd” or any member/person or associated body associated in any way with the conduct or participation in the **“Event” on “date” “month” “year”** (all persons/bodies are jointly included in the term “the indemnified”) shall not be deemed responsible or liable in any way for any injury, illness or other mishap to me, sustained in arising from or out of, or in any way directly or indirectly connected with any traveling, participation or function of whatsoever nature held during the period of the Games, or prior to or subsequent thereto if in any way connected directly or indirectly with the said Games and hereby indemnify the indemnified against any actions, suits, causes of action, demands and claims by me, and hereby agree (without in any way imposing, or attaching any liability or obligation upon the indemnified to do so) that the indemnified may act as our agents in incurring such expenses as, and/or doing whatsoever is reasonably necessary for the benefit of me..... in connection with or arising out of any such illness or mishap.

Dated at on the day of20....

Signature..... in the presence of

Signature of Parent/Guardian

(required if athlete is under the age of eighteen)

PO BOX 4083, HOMEBUSH NSW 2140

TELEPHONE/FACSIMILE: +61 2 8116 9720 FAX: + 61 2 8732 1633

EMAIL: info@sports.org.au