



Australian Government
Australian Sports Commission



**Government
of South Australia**
Office for Recreation
and Sport

MEMBER PROTECTION POLICY TEMPLATE FOR SA SPORTING CLUBS

VERSION 3 (September 2015)

IMPORTANT NOTE

For this policy and other policies to be binding on state sporting organizations and their member's organizations, members and other relevant persons, the policy needs to be:

- formally incorporated or adopted into a state sporting organization's constituent documents (being the Memorandum and Articles of Association or Constitution of a company, or the rules of an incorporated association) or the rules, regulations or by-laws made under the constituent documents; and
- agreed to as part of a membership application, agreement, form or other contract with the state sporting organization, which relevant member organizations, members and other persons intended to come within the scope of the policy are required to sign.

Guidelines for using the Member Protection Policy template

Why do sports need a Member Protection Policy?

National sporting organisations (NSOs) and State sporting organizations (SSOs) have a responsibility to make sure that their sports are safe, fair and inclusive for everyone involved. NSOs and SSOs also have legal obligations to prevent and address discrimination and harassment and to protect children from abuse.

A Member Protection Policy is an important tool that outlines how governing organizations can seek to meet these obligations and otherwise act and operate in an appropriate manner.

The Australian Sports Commission (ASC)'s funding arrangements with NSOs require those organizations to develop, adopt, implement and regularly update a Member Protection Policy so that they comply with the law and facilitate a safe and positive environment for all those involved in their sport and activities.

As a condition of funding the Office for Recreation and Sport (ORS) requires South Australian state recreation and sport organisations to develop, implement and regularly update policies and procedures that assist sports to comply with the law and improve the sporting environment.

It is strongly recommended that the club policy compliment the policy of their state and national sporting organisation.

How does this template assist clubs?

*This South Australian **Club** version of the Member Protection Policy template is modelled closely on that provided by the Australian Sports Commission to assist **national sporting organisations** develop and implement their own policy.*

It provides a general framework for position statements, organisational and individual responsibilities and codes of behaviour that apply to its members and activities.

This template version has been developed to be specific to South Australian child protection requirements and outlines processes such as complaints handling, tribunals and investigations in that context.

South Australian clubs should ideally consult with their state organisation to formally adopt a version that is in line with the national and state policy.

What information does the Member Protection Policy template include?

The Member Protection Policy template includes:

- *a statement about the organization's commitment to uphold its core values and create a safe, fair and inclusive environment for everyone associated with your organization and sport;*
- *an outline of some of the key responsibilities and obligations of persons associated with the organization;*
- *position statements on a range of key areas relating to safe, fair and inclusive environments, such as child protection, anti-discrimination and harassment;*
- *a description of the organisation's complaint handling procedures for complaints arising in those key areas; and*
- *a description of the disciplinary measures associated with a breach of the policy.*

The template is complemented by a range of documents that can be attached to the policy, including:

- codes of behaviour;
- Working with Children Check and other employment screening requirements;
- complaint handling procedures;
- reporting documents.

These attachments provide information about how the organisation will implement the policy.

Clubs can select and amend, if necessary, those attachments that are relevant to their organisation and include them in their finalised Member Protection Policy.

This template is updated on a regular basis so that it remains relevant to the needs and requirements of clubs, however clubs should always check the document against applicable SSO policy and current laws at the time the policy is implemented or updated.

A summary of changes made to the NSO template since it was first developed is available at: www.ausport.gov.au/supporting/nso/member_protection.

How to use this template?

Step 1: *Review and customize the template for the requirements of your Club.*

Step 2: *Consider the requirements/expectations you have for your club and members, including:*

- *The types of matters and decisions you want to be notified of, involved in or handled at the state or national level; and*
- *Any other policies, procedures or actions that will assist in ensuring your sport is safe, fair and inclusive for everyone involved.*

Step 3: *Have a lawyer review the customised template you prepare to ensure it complies with your constituent documents and does not conflict with any other existing applicable policies, rules, regulations, by-laws and procedures or with the laws or regulations of the Commonwealth or any state or territory.*

Step 4: *Ensure the policy is:*

- *Formally incorporated or adopted into your club's constituent document and/or rules, regulations and by-laws, and;*
- *Agreed to by members and other relevant persons, such as via annual membership applications or express agreement.*

You should make sure that everyone associated with your sport; including members are aware of and agrees to abide by the Member Protection Policy. Display the policy prominently on your website and look for other ways to promote the policy to your members.

Legal notice

This document does not constitute legal advice. Organizations must obtain independent legal advice before endorsing, modifying, adopting or implementing a member protection policy.

This Member Protection Policy template covers issues that are the subject of federal and state laws. The template is general in nature and may omit important information that could apply in a specific state/territory or to the particular circumstances of a NSO, SSO, sport, its members, employees or agents, relevant organization or a relevant individual. Each organization must ensure its member protection policy complies with all applicable laws and is implemented properly under its constituent documents. It is important to obtain independent legal advice about these issues.

The ASC and ORS make no representations in any way, express or implied, as to the accuracy of the information in this template or whether it complies with relevant laws. The ASC and ORS do not warrant, either expressly or impliedly, that this template suits an organization's particular obligations or requirements. The ASC and ORS do not accept responsibility for any errors or omissions contained in this template, or loss or damage however caused (including by negligence) which an organization or any of its members, employees or agents or any other person, may directly or indirectly incur arising out of or in connection with the use of or reliance on this template.



***Salisbury 8Ball & Sports Association of South Australia
Incorporated***

MEMBER PROTECTION POLICY

VERSION[1]

[01/03/2016]

CONTENTS

Review history

PART A – *Salisbury 8 Ball & Sports Association of South Australia Incorporated*

MEMBER PROTECTION POLICY

1. Introduction
2. Purpose of this policy
3. Who is bound by this policy?
4. Organisational responsibilities
5. Individual responsibilities
6. Position statements
 - 6.1 Child protection
 - 6.2 Taking of images of children
 - 6.3 Anti-discrimination and harassment
 - 6.4 Sexual relationships
 - 6.5 Pregnancy
 - 6.6 Gender identity
 - 6.7 Responsible service and consumption of alcohol
 - 6.8 Smoke-free environment
 - 6.9 Cyber bullying
 - 6.10 Social networking sites
7. Complaints procedures
 - 7.1 Handling complaints
 - 7.2 Vexatious complaints and victimisation
 - 7.3 Mediation
 - 7.4 Tribunals
8. What is a breach of this policy?
9. Disciplinary measures
 - 9.1 Individuals
 - 9.2 Factors to consider
10. Dictionary of terms

PART B – ATTACHMENTS: CODES OF BEHAVIOUR

PART C – ATTACHMENTS: EMPLOYMENT SCREENING/WORKING WITH CHILDREN ASSESSMENT REQUIREMENTS

- C1: Member Protection Declaration
- C2: Relevant History Assessments
- C3: National Working with Children Check requirements

PART D – ATTACHMENTS: COMPLAINT HANDLING PROCEDURES

- D1. Complaints procedure
- D2. Mediation
- D3. Investigation procedure
- D4. Tribunal procedures
- D5. Complaints Flowchart (Play by the Rules)

PART E – ATTACHMENTS: REPORTING REQUIREMENTS AND DOCUMENTS

- E1: Record of informal complaint
- E2: Record of formal complaint
- E3: Handling an allegation of child abuse
- E4: Confidential record of child abuse allegation
- E5: Reporting Child abuse and neglect

Preface

[Include a statement here from the President demonstrating a clear commitment at the highest level of your organisation to creating a safe, fair and inclusive sporting environment.

The Preface could state:

- that your organisation seeks to prevent all forms of harassment, discrimination and abuse and to promote positive behaviour and values*
- that inappropriate or unlawful behaviour will not be tolerated by the organisation*
- that the policy sets out codes of behaviour with which everyone associated with the organisation is expected to abide*
- that disciplinary action will be taken against individuals if there is a breach of the policy.*

Signature of CEO/President

Name of club

Date]

Short Meaning of:

National sporting organisations is(NSOs) and State sporting organizations is(SSOs)

Member Protection Information Officer (MPOI) in the Salisbury 8 Ball & Sports Association of South Australia Incorporated.

Review history of Salisbury 8Ball & Sports Association of South Australia Incorporated Member Protection Policy

Version	Date reviewed	Date endorsed	Content reviewed/purpose
<i>One</i>	<i>Created [insert month/year]</i>	<i>[insert month/year endorsed]</i>	<i>• [insert summary of amendments]</i>
<i>Two</i>	<i>[insert month/year reviewed]</i>	<i>[insert month/year endorsed]</i>	<i>• [insert summary of amendments]</i>
<i>Three</i>	<i>[insert month/year reviewed]</i>	<i>[insert month/year endorsed]</i>	<i>• [insert summary of amendments]</i>

PART A: NATIONAL MEMBER PROTECTION POLICY

1. Introduction

[Insert your organisation's core values, principles or mission statement.]

2. Purpose of this policy

This **MEMBER PROTECTION POLICY**

(“policy”) aims to assist **Salisbury 8Ball & Sports Association of South Australia Incorporated** (“our”, “us” or “we”) to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It sets out our commitment to ensure that every person bound by the policy is treated with respect and dignity and protected from discrimination, harassment and abuse. It also seeks to ensure that everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behavior expected of them.

The attachments to this policy describe the practical steps we will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, the policy allows **Salisbury 8Ball & Sports Association of South Australia Incorporated** to take disciplinary action against any person or organization bound by this policy if they breach the policy.

This policy has been endorsed by **Salisbury 8Ball & Sports Association of South Australia Incorporated Committee** and has been inserted into the Constitution. The policy started on 16th day of March 2016 and will operate until replaced.

The current policy and its attachments can be obtained from our website at: facebook: Salisbury 8-Ball and Sports Association

Who is bound by this policy

This policy should apply to as many persons as possible who are involved with the activities of **Salisbury 8Ball & Sports Association of South Australia Incorporated** whether they are in a paid or unpaid/voluntary and including:

- 3.1 persons appointed or elected to **Salisbury 8Ball & Sports Association of South Australia Incorporated** boards, committees and sub-committees
- 3.2 employees **Salisbury 8Ball & Sports Association of South Australia Incorporated**
- 3.3 members of the **Salisbury 8Ball & Sports Association of South Australia Incorporated** Executive;
- 3.4 support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- 3.5 coaches and assistant coaches;
- 3.6 athletes;
- 3.7 referees, umpires and other officials;
- 3.8 members, including life members of **Salisbury 8Ball & Sports Association of South Australia Incorporated**
- 3.9 athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by **Salisbury 8Ball & Sports Association of South Australia Incorporated**
- [3.10 any other person to whom the policy may apply eg social members, spectators].

*[This policy will continue to apply to a person even after he or she has stopped their association or employment with **Salisbury 8Ball & Sports Association of South Australia Incorporated**, if disciplinary action against that person has begun.]*

4. Organisational responsibilities

Salisbury 8Ball & Sports Association of South Australia Incorporated must:

- 4.1 adopt, implement and comply with this policy
- 4.2 ensure that this policy is enforceable
- 4.3 publish, distribute and promote this policy and the consequences of any breaches of the policy
- 4.4 promote and model appropriate standards of behaviour at all times
- 4.5 deal with any complaints made under this policy in an appropriate manner
- 4.6 deal with any breaches of this policy in an appropriate manner
- 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 all people and organisations to whom this policy applies
- 4.9 use appropriately trained people to receive and manage complaints and allegations of inappropriate behavior *[e.g. Complaints contact person or SSO Member Protection Information Officers]*
- 4.10 monitor and review this policy at least annually.

5. Individual responsibilities

Individuals bound by this policy must:

- 5.1 make themselves aware of the contents of this policy;
- 5.2 comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy ;
- 5.3 consent to the screening requirements set out in this policy, and abides by the SA requirement for a Relevant History assessment to be conducted if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law;
- 5.4 place the safety and welfare of children above other considerations;
- 5.5 be accountable for their behaviour: and,
- 5.6 comply with any decisions and/or disciplinary measures imposed under this policy.

6. Position statements

6.1 Child protection

[Insert name of SSO] has lodged a compliance statement with the Department for Education and Child Development to acknowledge that they are aware of our obligations to create and maintain a child safe environment according to the requirements under Section 8C of the *Children's Protection Act 1993*.

[Insert name of SSO] has lodged this statement on behalf of **Salisbury 8Ball & Sports Association of South Australia Incorporated** *If you are not sure of your status regarding this contact your SSO(if applicable) and/or Families SA on 08 8463 6468)*

Salisbury 8Ball & Sports Association of South Australia Incorporated is committed to the safety and well-being of all children and young people who participate in our sport or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained.

We acknowledge the valuable contribution made by our staff, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

6.1.1 Identify and analyse risk of harm

We will develop and implement a risk management strategy, including a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the actions of an employee, volunteer or another person.

6.1.2 Develop codes of behavior

We will develop and promote a code of behavior that sets out the conduct we expect of adults when they deal and interact with children involved in our sport, especially those in our care. We will also implement a code of behaviour to promote appropriate conduct between children.

These codes will clearly describe professional boundaries, ethical behaviour and unacceptable behavior. (Refer to the attachments in Part B of this policy.)

6.1.3 Choose suitable employees and volunteers

We will take all reasonable steps to ensure that our organisation engages suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This will include using a range of screening measures.

We will ensure that Relevant History Assessments are conducted for all employees and volunteers who work with children, where an assessment is required by law. If a criminal history report is obtained as part of their screening process, we will handle this information confidentially and in accordance with the Standards¹. (Refer to the attachments in Part C of this policy.)

6.1.4 Support, train, supervise and enhance performance

We will ensure that all our employees and volunteers who work with children have ongoing supervision, support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in our sport. We will appoint a child safe officer to support this statement. (recommend online training on www.playbytherules.net.au in Child protection and Harassment and discrimination)

6.1.5: Empower and promote the participation of children

We will encourage children and young people to be involved in developing and maintaining a child-safe environment for our sport.

6.1.6: Report and respond appropriately to suspected abuse and neglect

We will ensure that all our employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities to make a report if they suspect on reasonable grounds that a child has been, or is being, abused or neglected. (Refer to the attachments in Part E of this policy.)

Further, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child, or is in breach of this policy, he or she may make an internal complaint to us. (Refer to the attachments in Part D of this policy.)

6.1.7: Manage appropriately any allegation of misconduct towards children

¹ Child Safe Environments: Standards for dealing with information obtained about a person's criminal history as part of a relevant history assessment Issued by the Chilef Executive DECD Feb. 2015

We will treat any allegations of child abuse or neglect towards children participating in activities associated with our organization responsibly and sensitively. This will include providing support for the alleged victim and their family and ensuring natural justice is provided for the alleged offender.

(See Managing allegations of child abuse in recreation and sport

www.ors.sa.gov.au/_data/assets/pdf_file/0006/153564/child_abuse_allegations_guidelines_050115.pdf)

6.2 Taking images of children

There is a risk that Images of children may be used inappropriately or illegally. *Salisbury 8Ball & Sports Association of South Australia Incorporated* requires that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own. They should also make sure the parent/guardian understands how the image will be used.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are used in connection with our sport.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent/guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child.

We will only use images of children that are relevant to our sport and we will ensure that they are suitably clothed in a manner that promotes participation in the sport. We will seek permission from the parents/guardians of the children before using the images.

6.3 Anti-discrimination and harassment

Salisbury 8Ball & Sports Association of South Australia Incorporated is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination and harassment.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

6.3.1 Discrimination Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by state or federal anti-discrimination laws.

The personal characteristics protected by anti-discrimination laws include attributes such as race, age, disability, gender and race. The full list of protected personal characteristics is in the "Definitions" set out in the Dictionary of Terms.

Discrimination can be either direct or indirect.

- **Direct** discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **Indirect** discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected

personal characteristic and that requirement, condition or practice is not reasonable.

For the purposes of determining discrimination, the offender's awareness and motive are irrelevant.

6.3.2 Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behavior does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment is unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviors and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

6.3.3 Prohibition against discrimination and harassment

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the "Definitions" set out in the Dictionary of Terms [see clause 10].

Any person who believes they are being, or have been, harassed or discriminated against by another person or organization bound by this policy is encouraged to raise their concerns with us. A person may make an internal complaint, and in some circumstances, they may also be able to make a complaint to an external organization. (Refer to the attachments in Part D of this policy.)

6.4 Intimate relationships

Salisbury 8Ball & Sports Association of South Australia Incorporated understands that consensual intimate relationships (including, but not limited to sexual relationships) between coaches or officials and adult athletes may take place legally. However, this policy will help ensure that the expectations of coaches or officials are clear and, to ensure that if an intimate relationship does exist or develop between a coach or official and an adult athlete, that relationship will be managed in an appropriate manner.

Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. In particular, they must ensure that they treat athletes in a respectful and fair manner, and that they do not engage in sexual harassment, bullying, favoritism or exploitation.

We take the position that consensual intimate relationships between coaches or officials and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach or official and the athlete.

We recommend that if an athlete attempts to initiate an intimate relationship with a coach or official, the coach or official should discourage the athlete's approach and explain to the athlete why such a relationship is not appropriate.

If a consensual intimate relationship does exist or develop between an adult athlete and a coach or official, the coach or official is expected to ensure that the relationship is appropriate and that it does not compromise impartiality, professional standards or the relationship of trust the coach or official has with the athlete and/or other athletes.

In assessing the appropriateness of an intimate relationship between a coach or official and an adult athlete, relevant factors include, but are not limited to:

- the relative age and social maturity of the athlete;
- any potential vulnerability of the athlete;
- any financial and/or emotional dependence of the athlete on the coach or official;
- the ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career;
- the extent of power imbalance between the athlete and coach or official; and the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.

It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of its appropriateness and accordingly they are encouraged to seek advice from [*the SSO Member Protection Information Officer, Club Complaints Manager or other official*] to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

If it is determined that an intimate relationship between a coach or official and an adult athlete is inappropriate or unprofessional we may take disciplinary action against the coach or official up to and including dismissal. Action may also be taken to stop the coaching relationship with the athlete. This could include a transfer, a request for resignation or dismissal from coaching duties.

If a coach, official or athlete believes they are being, or have been, harassed they are encouraged to seek information and support from [*the SSO Member Protection Information Officer, Club Complaints Manager or other official*]. Our complaints procedure is outlined in Part D of this policy.

6.5 Pregnancy

Salisbury 8Ball & Sports Association of South Australia Incorporated

is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our sport. We will not tolerate any discrimination or harassment against pregnant women.

Salisbury 8Ball & Sports Association of South Australia Incorporated

will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in

consultation with their medical advisers and in discussion with **Salisbury 8Ball & Sports Association of South Australia Incorporated**

We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint. (Refer to the attachments in Part D of this policy.)

6.6 Gender identity

Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other than male or female. Some terms used to describe a person's gender identity include trans, transgender and gender diverse.

6.6.1 Gender identity discrimination and harassment

Federal, state and territory anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity. (See definition in Dictionary of terms).

Salisbury 8Ball & Sports Association of South Australia Incorporated is committed to providing a safe, fair and inclusive sporting environment all where people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity.

All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual. (Refer to the attachments in Part D of this policy.)

We expect all people bound by this policy to act with sensitivity when a person is undergoing gender transition/affirmation.

If any person believes that they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy because of their gender identity, they may make a complaint.

6.6.2 Participation in sport

Salisbury 8Ball & Sports Association of South Australia Incorporated recognises that excluding people from participating in sporting events and activities because of their gender identity may have significant implications for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport on the basis of the gender with which a person identifies.

If issues of performance advantage arise, we will consider whether the established discrimination exceptions for participation in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.

6.6.3. Intersex status

Federal anti-discrimination law, and some state and territory anti-discrimination laws, provide protection from discrimination against a person on the basis of their intersex status. (See Dictionary of terms).

Salisbury 8Ball & Sports Association of South Australia Incorporated

is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their intersex status.

6.7 Responsible service and consumption of alcohol

Salisbury 8Ball & Sports Association of South Australia Incorporated

is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that state associations and member clubs follow strict guidelines regarding the service and consumption of alcohol.

In general, our policy is that:

- alcohol should not be available or consumed at sporting events involving children and young people under the age of 18;
- alcohol-free social events be provided for young people and families;
- food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
- a staff member is present at events we hold or endorse where alcohol is served to ensure appropriate practices in respect of the consumption of alcohol are followed;
- safe transport options be promoted as part of any event we hold or endorse where alcohol is served.

6.8 Smoke-free environment

Salisbury 8Ball & Sports Association of South Australia Incorporated

is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse.

In general, our policy is that:

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

6.9 Bullying

Salisbury 8Ball & Sports Association of South Australia Incorporated

is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable in our sport.

Bullying is characterized by repeated, unreasonable behavior directed at a person, or group of persons, that creates a risk to health and safety. Bullying behavior is that which a reasonable person in the circumstances would expect to victimize, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behavior can include actions of an individual or a group.

Whilst generally characterized by repeated behaviors, one-off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;
- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments.

Salisbury 8Ball & Sports Association of South Australia Incorporated

will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a referee, teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club, league or peak sporting body.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. (Refer to the attachments in Part D of this policy.)

6.10 Social networking

Salisbury 8Ball & Sports Association of South Australia Incorporated acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.

In particular, social media activity including, but not limited to, postings, blogs, status updates, and tweets:

- must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate;
- must not contain material which is inaccurate, misleading or fraudulent;
- must not contain material which is in breach of laws, court orders, undertakings or contracts;
- should respect and maintain the privacy of others; and
- should promote the sport in a positive way.

[Further guidance on developing a Communications Policy is available at: www.playbytherules.net.au/resources/club-toolkit.]

7. Complaints procedures

7.1 Handling complaints

Salisbury 8Ball & Sports Association of South Australia Incorporated

aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of procedural fairness.

Any person (a complainant) may report a complaint about a person, people or organisation bound by this policy (respondent) if they feel they have been discriminated against, harassed, bullied or there has been any other breach of this policy.

In the first instance, complaints should be reported to the *relevant official . President, Club Complaints Manager, Committee member team Captain.*

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 association in the first instance*
- *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 which occurred at, the national level, as well as serious cases referred from the state and club level, should be dealt with by the national body.]

A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the *President, Club Complaints Manager, Committee member team Captain.* should consider whether that is an appropriate way to handle the particular complaint.. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our procedures for handling and resolving complaints are outlined in Attachment **[D1]**.

Individuals and organisations may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

7.2 Improper complaints and victimisation

Salisbury 8Ball & Sports Association of South Australia Incorporated aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against any person making a complaint.

We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures may be undertaken in respect of a person who harasses or victimises another person for making a complaint or supporting another person's complaint.

If at any point in the complaint handling process the *President, Member Protection Information Officer & or committee*, considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or inappropriately intended to cause distress to the respondent, the matter may be referred in writing to the *Committee* for review and appropriate action, including possible disciplinary action against the complainant.

7.3 Mediation

Salisbury 8Ball & Sports Association of South Australia Incorporated aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the *President, Member Protection Information Officer & or committee*, will, in consultation with the complainant, arrange for an independent mediator where possible. We *will not* allow lawyers to participate in the mediation process.

More information on the mediation process is outlined in Attachment [D2].

7.4 Tribunals

In accordance with *Salisbury 8Ball & Sports Association of South Australia Incorporated* rules:

a Tribunal may be convened to hear a proceeding:

- referred to it by *[designated official]*
- *for an alleged breach of this policy.*

Our Tribunal procedure is outlined in Attachment [D4].

A respondent may lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in Attachment [D4].

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

[Note: *Clubs must ensure that this procedure accurately reflects the tribunal and appeal rules of their governing body, constituent documents and other rules, regulations or by-laws.*]

8. What is a breach of this policy?

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

- 8.1 breaching the codes of behaviour (see Part B of this policy);
- 8.2 bringing the *[sport and/or the club, SSO, NSO]* into disrepute, or acting in a manner likely to bring the *[sport and/or the club, SSO, NSO]* into disrepute ;
- 8.3 failing to follow **Salisbury 8Ball & Sports Association of South Australia Incorporated** policies (including this policy) and our procedures for the protection, safety and well-being of children;
- 8.4 discriminating against, harassing or bullying (including cyber-bullying) any person;
- 8.5 victimising another person for making or supporting a complaint;
- 8.6 engaging in an inappropriate intimate relationship with a person that he or she supervises, or has 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 **Salisbury 8Ball & Sports Association of South Australia Incorporated** information that is of a private, confidential or privileged nature;
- 8.9 making a complaint that they know 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; and
- 8.11 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

9. Disciplinary measures

Salisbury 8Ball & Sports Association of South Australia Incorporated

may impose disciplinary measures on an individual or organisation for a breach of this policy.

Any disciplinary measure imposed will be:

- fair and reasonable;
- applied consistent with any contractual and employment rules and requirements;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined in accordance with our constituent documents, by-laws, this policy and/or the 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.

[Adapt the suggestions below].

- 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, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by **Salisbury 8Ball & Sports Association of South Australia Incorporated**
- 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 *Salisbury 8Ball & Sports Association of South Australia Incorporated* 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 *committee* considers appropriate.

9.2 Factors to consider

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

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

10. Dictionary of terms

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

Abuse is the violation of an individual's human or civil rights through the act or actions of another person or persons. Types of abuse include physical abuse, psychological or emotional abuse, sexual abuse, constraints and restrictive practices, financial abuse, legal or civil abuse and systemic abuse.

Affiliated club means *Associations affiliated with the Australian Eight Ball Association (AEBF)*.

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

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

- **physical abuse**, which occurs when a child has suffered, or is at risk of suffering, non-accidental physical trauma or injury. This may include, but is not limited to, hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity.
- **sexual abuse**, which occurs when an adult, other child, or adolescent uses their power or authority to involve a child in a sexual activity or 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**, which occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism, hostility, teasing/bullying,

humiliation, taunting, sarcasm, yelling, name-calling or placing unrealistic expectations on a child.

- **neglect**, which occurs when a child's basic necessities of life are not met and their health and development are affected. Basic needs include food, water, shelter, adequate clothing, personal hygiene, timely provision of medical treatment and adequate supervision.

Child Safe Officer means the person appointed by the club to assist with maintaining a child safe environment. Training is available www.ors.sa.gov.au/upcoming_courses_and_events

Complaint means a complaint made under clause [7] of this policy

Complainant means the person making a complaint.

Complaint handler/manager means the person appointed under this policy to investigate a complaint. Online training for complaint handlers can be accessed through www.playbytherules.net.au

Discrimination occurs when someone is treated (or is proposed to be treated) unfairly or less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws. This is known as direct discrimination. Indirect discrimination occurs when there is (or is proposed) an unreasonable requirement, condition or practice that seems to treat everyone equally, but which has or is likely to have the effect of disadvantaging persons with a personal characteristic covered by anti-discrimination laws.

In Australia, it is against the law to discriminate against someone because of:

- age
- sex or gender
- gender identity
- intersex status
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration
- disability, mental and physical impairment
- family/carer responsibilities, status as a parent or carer
- marital status
- pregnancy, potential pregnancy, breastfeeding
- sexual orientation and gender identity
- physical features
- irrelevant medical record
- irrelevant criminal record, spent convictions
- political beliefs or activities
- religion, religious beliefs or activities
- national extraction or social origin
- lawful sexual activity
- profession, trade, occupation or calling
- member of association or organisation of employees or employers, industrial activity, trade union activity
- defence service
- personal association with someone who has, or is assumed to have, any of the above characteristics

Examples of discrimination are available on the Play by the Rules website: www.playbytherules.net.au/legal-stuff/discrimination

Some exceptions to state, territory and federal anti-discrimination law apply, including exceptions for sporting activities, such as:

- holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years);
- excluding people on the basis of their 'excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who are under the age of 12 years); and
- 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.

Harassment is any type of unwelcome behaviour which has the effect of offending, humiliating or intimidating the person harassed. Unlawful harassment can be based on any of the personal characteristics covered by anti-discrimination law, such as a person's race, sex, pregnancy, marital status or sexual orientation (see the list under "Discrimination").

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

Member means *Full, part or Social financial member*.

Member Protection Information Officer or committee means a person appointed by (SSO) to be a point of contact for a person reporting an issue or a complaint under, or a breach of, this policy. Persons nominated by (SSO) may undertake training through www.playbytherules.net.au and face to face training at ORS.

Procedural fairness requires that:

- the respondent knows the full details of what is being said against him or her and they have the opportunity to respond;
- no person may judge their own case; and
- the decision-maker(s) must be unbiased, fair and just.

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, policy and this policy means this Member Protection Policy.

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

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

Sexual harassment means unwelcome behaviour of a sexual nature which could reasonably be expected to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwelcome physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Sexual harassment does not have to be intentional.

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

- rape
- indecent assault
- sexual assault
- assault with intent to commit sexual acts
- incest
- sexual penetration of child under the age of 16 years
- indecent act with child under the age of 16 years
- sexual relationship with child under the age of 16 years
- 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 years
- bestiality
- soliciting a child under the age of 16 years to take part in an act of sexual penetration, or an indecent act
- promoting or engaging in acts of child prostitution
- obtaining benefits from child prostitution
- possession of child pornography
- publishing child pornography and indecent articles.

Transgender ‘Transgender’ is an umbrella term that refers to a person whose gender identity is different to their physical sex as recorded at birth. Transitioning refers to the process where a transgender person commences living as a member of another sex. This is sometimes referred to as the person ‘affirming’ their gender because transitioning means they start living in what they identify as their true gender. For people who are transitioning/affirming their gender, having their identity fully recognised in all areas of life is a crucial part of the experience of living as their affirmed gender.

Sexual orientation: The term ‘sexual orientation’ refers to a person’s emotional or sexual attraction to another person, including, amongst others, the following identities: heterosexual, gay, lesbian, bisexual, pansexual, asexual or same-sex attracted.

Gender identity: The term ‘gender identity’ refers to a person’s deeply held internal and individual sense of gender.

Gender expression: The term ‘gender expression’ refers to the way in which a person externally expresses their gender or how they are perceived by others.

Intersex: The term ‘intersex’ refers to people who have genetic, hormonal or physical characteristics that are not exclusively ‘male’ or ‘female’. A person who is intersex may identify as male, female, intersex or as being of indeterminate sex.

Victimisation means treating someone unfairly or unfavorably, or threatening to do so, because that person has, or intends to, pursue their right to make any complaint, including a complaint under government legislation (e.g. anti-discrimination legislation) or under this policy, or for supporting another person to make complaint.

Vilification means behaviour that occurs in public which incites hatred towards, serious contempt for, or revulsion or severe ridicule of a person or group of people because that person or persons have a particular personal characteristic. Anti-discrimination laws in Australia make it unlawful to vilify a person or group of persons on the basis of race, religion, homosexuality, transgender status and HIV/AIDS status.

PART B: CODES OF BEHAVIOUR

We seek to provide a safe, fair and inclusive environment for everyone involved in our organisation and in our sport.

To achieve this, we require certain standards of behavior by players/athletes, coaches, officials, administrators, parents/guardians (of child participants) and spectators.

Our codes of behaviour are underpinned by the following core values.

- To act within the rules and spirit of our sport.
- To display respect and courtesy towards everyone involved in our sport and prevent discrimination and harassment.
- To prioritise the safety and well-being of children and young people involved in our sport.
- To encourage and support opportunities for participation in all aspects of our sport.

ATTACHMENTS

[Note: You might choose to include a General Code of Behaviour, along with codes of behaviour for administrators, coaches, umpires/referees, players (junior and senior) and/or others associated with your sport.

A template is available at: www.playbytherules.net.au/resources/club-toolkit.

Codes of behaviour are not binding on non-members, such as parent/guardians and spectators, unless they have signed the code or another document in which they agree to be bound by the code.

It may therefore be difficult for you to discipline a parent/guardian or spectator under this policy.

NSOs, state associations and individual clubs are encouraged to seek that all parents, coaches, officials, administrators and other relevant persons sign an agreement to be bound by this policy and/or any code of behaviour.]

PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN ASSESSMENT REQUIREMENTS

We are committed to providing a safe environment for children. As part of this, we will recruit staff and volunteers who do not pose a risk to children.

Employment screening and relevant history assessments for working with children can involve criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children and young people.

Salisbury 8Ball & Sports Association of South Australia Incorporated will meet the requirements of Section 8C, *Children's Protection Act 1993*.

Individuals travelling with children and young people to another state or territory in a work-related capacity must comply with the screening requirements of that particular state or territory.

Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory, the Australian Capital Territory, and South Australia. Working with Children Check laws are currently being introduced in Tasmania.

ATTACHMENTS

- Attachment C1: Member Protection Declaration
- Attachment C2: Relevant History Assessments

PART D: COMPLAINT HANDLING PROCEDURES

We will deal with all complaints in a fair, timely and transparent manner. All complaints will be treated seriously.

We will provide individuals with an informal and informal process to resolve the matter, along with access to an external complaint handling body, based on the nature of the complaint and our rules and regulations.

We also provide an appeals process for those matters.

We will maintain confidentiality where possible and as provided in this policy and seek to ensure that no one is victimised for making, supporting or providing information about a complaint.

[Note: Include in this section those attachments from the list below that are relevant to your organisation.]

ATTACHMENTS

- Attachment D1: Complaints procedure
- Attachment D2. Mediation
- Attachment D3. Investigation procedure
- Attachment D4. Tribunal procedure
- Attachment D5 Complaint Flow Chart (Play by the Rules)

PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

We will ensure that all the complaints we receive, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint.

This information, and any additional records and notes, will be treated confidentially (subject to disclosure required by law or permitted under this policy) and stored in a secure place.

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

We will ensure that everyone who works with our organisation in a paid or unpaid capacity understands how to appropriately receive and record allegations of child abuse and neglect and how to report those allegations to the relevant authorities in their state or territory.

[Note: Include in this section those attachments from the list below that are relevant to your organisation.]

ATTACHMENTS

- Attachment E1: Record of informal complaint
- Attachment E2: Record of formal complaint
- Attachment E3: Handling an allegation of child abuse
- Attachment E4: Confidential record of child abuse allegation
- Attachment E5: Reporting Child abuse and neglect

Attachment C1:
MEMBER PROTECTION DECLARATION

Member Protection Information Officer

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

I (name) of

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

sincerely declare:

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 Australian Sports Anti-Doping Authority (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 **Member Protection Information Officer** may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the *Committee* of the organisation/s engaging me immediately upon becoming aware that any matter set out above has changed.

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

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

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

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

Name:

Signature:

Date:

Attachment C2:

RELEVANT HISTORY ASSESSMENTS

Assessments for working with children support a child-safe environment and assist to protect children and young people involved in our sport from physical and sexual harm.

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

- criminal history checks;
- signed declarations;
- referee checks; and
- other relevant background checks to assess a person’s suitability to work with children and young people.

Salisbury 8Ball & Sports Association of South Australia Incorporated

requires all persons who are engaged in a “prescribed position” to undergo a relevant history assessment according to the South Australian *Children’s Protection Act 1993*. This assessment must be completed every three (3) years or once the criminal history information (eg police check) used to conduct the assessment is more than 3 years old.

A person performs a prescribed position if they:

- have regular contact with children and are not directly supervised at all times
- work in close proximity to children on a regular basis and are not directly supervised at all times
- supervise or manage persons who:
 - i. have regular contact with children
 - ii. work in close proximity to children on a regular basis
 - iii. have access to prescribed records relating to children (ie in connection with child protection services, education services, health services, disability services and court orders and proceedings)
 - iv. undertake functions of a type prescribed by regulation (currently overnight care).

Conducting relevant history assessments

There are 3 options for meeting the obligation for relevant history assessments. Your organisation should determine the process/es you accept for meeting this requirement. This must be in line with the requirements of the SSO

1. A relevant history assessment may be an assessment of a current (less than 3 years) National Police Record Check conducted by a nominated responsible person within the organisation.

www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check

The organisation may conduct its own assessment of a person’s relevant history on the basis of:

- the person’s criminal history (if any) as recorded on the person’s national police check,
- any information provided by the person for the purpose of the assessment
- the [Child Safe Environments: Standards for dealing with information obtained about a person’s criminal history as part of a relevant history assessment](#).

In the majority of cases, a person will have no criminal history. In these cases, the assessment is successfully completed. This outcome should be documented and no further action in respect to an assessment is required.

2. Alternatively the organisation may request or can accept a current (less than 3 years) Child related employment screening conducted by the Department for Communities and Social Inclusion (DCSI) Screening Unit.

A relevant history assessment conducted by the DCSI Screening Unit incorporates a broader range of information than an assessment conducted by an organisation alone.

<http://www.dcsi.sa.gov.au/services/screening>

3. Organisations may accept the following forms of evidence to assess whether a person may pose a risk to the safety of children if appointed to or engaged to act in a child-related position, provided the information was obtained within the last three years:
 - A National Police Certificate that does not expressly state that it cannot be used as a clearance to work with children
 - A certificate of clearance from the DCSI Screening Unit or a valid registration document from the Teachers Registration Board
 - A current interstate working with children check.

Organisations will need to decide whether it will accept these types of evidence and communicate the decision to all members of the organisation.

All assessments must be conducted and managed according to the Standards published by the Department for Education and Child Development (DECD) [Child safe environments: Standards for dealing with information obtained about a person's criminal history as part of a relevant history assessment](#)

NOTE: The SSO needs to develop clear guidelines for the process required for undergoing relevant history assessments and edit this section accordingly. This may include

- Method of relevant history assessment required by organisation
- Process for lodging applications, VOAN, cost of DCSI screenings
- Are they to be assessed by SSO, Regional Assoc, Club?
- Who is responsible for recording, retaining and the details of the assessment and ensuring they are updated. (note that police checks or screening letters must not be copied or retained)
- Up to date information is available at www.ors.sa.gov.au/create_a_child_safe_environment and www.families.sa.gov.au/childsafe

Attachment D1: COMPLAINTS PROCEDURE

Salisbury 8Ball & Sports Association of South Australia Incorporated

is committed to supporting people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way.

We will endeavour to deal with complaints on a confidential basis. We will not provide information about the complaint to another person without the complainant's consent, except if the law requires us disclose this information or it is necessary to properly deal with the complaint. To ensure fairness for everyone involved, we will provide the full details of the complaint to the person or people against whom the complaint has been made and ask for their response. As a result, it may be difficult for us to resolve complaints made anonymously.

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

Informal approaches

Step 1: Talk with the other person (if safe, reasonable and appropriate)

If you feel confident and comfortable to do so, you can approach the other person to discuss the issues and try and resolve the problem directly.

Step 2: Contact a Member Protection Information Officer

We encourage you to talk with one of the (**SSO**) Member Protection Information Officers (MPIOs) *[or insert designated official/s]*if:

- step 1 (above) is not appropriate;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially with someone and find out what options are available to address your concern; or
- the concern continues after you approached the other person.

The names and contact details for (**SSO**) MPIOs are available at *[insert website or wherever else this information can be found]*.

The MPIO *[or insert designated official/s]* will:

- ask how you would like your concern to be resolved and if you need support
- seek to provide different options for you to address your concern
- act as a support person, if you wish
- refer you to an appropriate person (e.g. a mediator) to help you address your concern, if appropriate
- inform the relevant government authorities and/or police, if required by law to do so
- where possible and appropriate, maintain confidentiality.

Step 3: Decide how to address your concern

After talking with the MPIO *[or insert designated official/s]*, you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;
- to try and resolve the problem yourself, with or without a support person;
- to resolve the problem with the help of someone impartial, such as a mediator; or
- to resolve the matter through a formal process.

Formal approaches

Step 4: Making a formal complaint

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

- make a formal complaint in writing to the *Committee* SSO or
- approach a relevant external agency, such as an anti-discrimination or equal opportunity commission, for advice and assistance.

After receiving a formal complaint, and based on the material you provide, the *[insert designated official]* will decide whether:

- he or she is the most appropriate person to receive and handle the complaint;
- the nature and seriousness of the complaint requires a formal resolution procedure;
- to refer the complaint to **mediation**;
- to appoint a person to **investigate** the complaint;
- to refer the complaint to a club **tribunal hearing**;
- contact the MPIO for advice
- refer the complaint to the President (or refer to MPIO Grievance procedure in SSO MPP)
- MPIO may choose to engage **The State Sport Dispute Centre** to provide an independent mediation or a tribunal hearing. (SSO) to determine who will cover the cost of this)
- 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 is completed.

In dealing with your formal complaint, the *[insert designated official]* will take into account:

- whether he or she has had any personal involvement in the circumstances and if so, whether it is appropriate someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding how the complaint should be handled;
- the relationship between you and the respondent (e.g. 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 might face further unacceptable behaviour while the complaint process is underway.

If the *[insert designated official]* is the appropriate person to handle the complaint, he or she will, where appropriate and/or necessary:

- provide the information received from you to the other person(s) involved and ask for a response;
- decide if there is enough information to determine whether the matter alleged in your complaint did or did not occur; and/or
- determine what, if any, further action to take, including referring the matter for investigation or disciplinary action in accordance with this policy.

Step 5: Investigating the complaint

In some cases, an investigation may be required to determine the facts surrounding the complaint. Our investigations procedure is outlined in *[Attachment D3]*.

Following the investigation, a written report will be provided to *[insert designated official/tribunal]*.

- If the complaint is referred to **mediation**, we will follow the steps outlined in *[Attachment D2]* or as agreed by you, the respondent and the mediator.

- If the complaint is referred to a **tribunal hearing**, the hearing will be conducted according to the steps outlined in *[Attachment D4]*.
- If the complaint is referred to the **police or another external agency**, we will endeavour to provide all reasonable assistance required by the police or the agency.

[Any costs incurred by us relating to the complaint process set out in this policy (e.g. investigation, mediation and/or a tribunal hearing) are to be met by [insert relevant person/organisation], unless otherwise stated.]

Step 6: Reconsidering a complaint or appealing a decision

If the matter is referred to mediation and is not resolved at mediation, you may request that *[insert designated official]* reconsider the complaint in accordance with Step 3.

In accordance with **Salisbury 8Ball & Sports Association of South Australia Incorporated** rules you or the respondent(s) may also appeal a decision made at a tribunal hearing. The grounds and process for appeals are set out in *[Attachment D4]*.

Step 7: Documenting the resolution

The *[insert designated official]* will record the complaint, the steps taken to resolve it and the outcome. This information will be stored in a confidential and secure place. If the complaint was dealt with at the state/district level, the information will be stored by the state association. If the matter is of a serious nature, or if it was dealt with at the national level, the information will be stored by *[insert name of NSO]* and a copy stored by the state association.

Approaching external organisations

If you feel that you have been harassed or discriminated against, you can seek advice from the Equal Opportunity Commission. There is no obligation to make a formal complaint. However, if the commission advises you that the issues appear to be within its jurisdiction, you may choose to lodge a formal complaint with the commission.

The commission may investigate your complaint. The commission may also attempt to conciliate the complaint on a confidential basis. If this fails, or if it is not appropriate, the complaint may go to a formal hearing. The tribunal will make a finding and decide what action, if any, will be taken.

If you do lodge a complaint with the commission, an appropriate person from *[Insert name of SSO]* (e.g. an MPIO) will be available to support you during the process. You may also wish to have a legal representation, particularly if the complaint goes to a formal hearing.

The Equal Opportunity Commission can be contacted online at www.eoc.sa.gov.au/ or phone 08 8207 1977

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

Attachment D2: MEDIATION

Mediation is a process that seeks to resolve complaints with the assistance of an impartial person – the mediator.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to discuss the issues and seeks to facilitate a mutually agreeable solution.

Our approach to mediation follows the steps set out below.

1. The *[insert President or other designated official]* will appoint an appropriate mediator to help resolve the complaint. This will be done under the direction of *[Salisbury 8Ball & Sports Association of South Australia Incorporated]* and in consultation with the complainant and the respondent(s). The mediator will be an independent person in the context of the complaint, however this does not preclude a person with an association with *[insert name of SSO]* acting as mediator.
2. The mediator will talk with the complainant and respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
3. All issues raised during mediation will be treated confidentially. We also respect the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. If the complaint is resolved by mediation, where appropriate the mediator may seek to ensure the parties execute a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect and comply with the terms of the agreement.
5. If the complaint is not resolved by mediation, the complainant may:
 - write to *President or other designated official* to request that the *President or other designated official* reconsider the complaint; and
 - approach any relevant external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

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

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

Mediation Services

- Mediation SA provides a free independent mediation service for community organisations. Contact 08 8350 0376
- In some circumstances *[insert name of SSO]* may choose to engage **The State Sport Dispute Centre**, based at Sport SA, to provide independent mediation

Attachment D3:

INVESTIGATION PROCESS

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

An investigation helps determine the facts relating to the incident, if requested, recommendations as to possible findings and next steps.

Any investigation we conduct will be fair to all people involved. The investigation process will be undertaken by an unbiased person.

If we decide that a complaint should be investigated, we will follow the steps outlined below.

1. We will provide a written brief to the investigator that sets out the terms of engagement and his or her roles and responsibilities.
2. The investigator may:
 - interview the complainant and record the interview in writing;
 - provide full details of the complaint to the respondent(s) so that they can respond
 - interview the respondent(s) to allow them to answer the complaint and record the interview in writing;
 - obtain statements from witnesses and collect other relevant evidence;
 - 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);
 - **mischievous, vexatious or knowingly untrue.**
 - provide a report to *[insert relevant person/tribunal]* documenting the complaint, the investigation process, the evidence,) and, if requested, any findings and recommendations.
3. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points from the investigation.
4. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person or adviser (e.g. *[insert SSO MPIO or other person]*).

Attachment D4: TRIBUNAL PROCEDURES

We will follow the steps set out below to hear formal complaints made under our Member Protection Policy.

[Note: SSOs must ensure that this procedure accurately reflects their tribunal rules and procedure, appeal tribunal rules and procedures, constituent documents, rules, regulations or by-laws. Any inconsistency between this policy and the NSO or SSO's other procedures is problematic and may mean the decision of a tribunal under this policy is invalid.]

Preparing for a Tribunal hearing

1. A Tribunal panel will be established, according to the rules set out in our constituent documents, rules and by-laws, to hear a complaint that has been referred to it by *[insert relevant official as per your Constitution or this policy e.g. President, Complaints Manager]*.
2. The number of Tribunal panel members required to be present throughout the hearing will be *[insert the specific or minimum number of members required as per your constituent documents, rules, regulations or by-laws]*.
3. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by *[insert relevant official]* relating to the complaint/allegations.
4. The Tribunal hearing will be held as soon as practicable. However, adequate time must be provided for the respondent(s) to prepare for the hearing.
5. The *[insert relevant official]* 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/allegations;
 - the details of the complaint and of all allegations, as well as the provision or clause of any policy, rule or regulation that has allegedly been breached;
 - the date, time and venue of the Tribunal hearing;
 - that verbal and/or written submissions can be presented at the Tribunal hearing;
 - that witnesses may attend the Tribunal hearing to support the position of the respondent/s;
 - an outline of any possible sanctions that may be imposed if the complaint is found to be true;
 - That legal representation will not be allowed. *[The respondent may be assisted by a support person at a Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However a person cannot be a support person if he or she has been admitted to the practice as a lawyer or worked as a trainee lawyer.]* A copy of any investigation report findings will be provided to the respondent(s).
6. The *[insert relevant official]* 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;
 - the 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 verbal and/or written submissions can be presented at the Tribunal hearing;

- that witnesses may attend the Tribunal hearing to support the complainant's position;
- that legal representation will not be allowed. *[The respondent may be assisted by a support person at a Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However, a person cannot be a support person if he or she has been admitted to practice as a lawyer or worked as a trainee lawyer.]*

A copy of the investigation report findings will be provided to the complainant.

7. If the complainant believes the details of the complaint are incorrect or insufficient, he or she should inform the *[insert relevant official]* as soon as possible so that the respondent(s) and members of the Tribunal panel can be properly informed of the complaint.
8. If possible, the Tribunal panel should include at least one person with knowledge or experience of the relevant laws/rules (e.g. anti-discrimination).

Tribunal hearing procedure

9. The following people will be allowed to attend the Tribunal hearing:
 - Tribunal panel members;
 - the respondent(s);
 - the complainant;
 - any witnesses called by the respondent(s);
 - 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 this absence, the Tribunal hearing will continue subject to the chairperson being satisfied that all Tribunal notification requirements have been met.
11. If the Tribunal chairperson considers that there is a valid reason for the non-attendance of the respondent(s), or the chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal hearing will be rescheduled to a later date.
12. If the Tribunal chairperson wishes to reschedule the Tribunal hearing date, the Tribunal chairperson will inform the *[insert relevant official]* of the need to reschedule the hearing and the *[insert relevant official]* will arrange for the Tribunal to be reconvened.
13. The Tribunal chairperson will read out the complaint, ask each respondent if he or she understands the complaint and if he or she agrees or disagrees 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 when determining any sanctions. *[Note: Ensure the Tribunal has the necessary power under your constituent documents to impose disciplinary sanctions.]*
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 may question the complainant and any witnesses.
16. The respondent 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 any witnesses.

17. The complainant and respondent(s) may be present when evidence is presented to the Tribunal hearing. Witnesses may be asked to wait outside the hearing until they are required.
18. The Tribunal may:
 - consider any evidence, and in any form, that it deems relevant;
 - ask questions of any person giving evidence;
 - limit the number of witnesses (including limiting witnesses to those persons who only provide new evidence);
 - require (to the extent it has power to do so) the attendance of any witness it deems relevant; and
 - act in an inquisitorial manner in order to establish the truth of the issue/complaint before it.
19. Video evidence, if available, may be presented. Arrangements for the viewing of this evidence must be made entirely by the person(s) wishing to offer this type of evidence.
20. If the Tribunal panel considers that at any time during the hearing there is any unreasonable or intimidatory behaviour from anyone, the Tribunal chairperson may deny further involvement of that person in the hearing.
21. After all the evidence has been presented, the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has, on the balance of probabilities, been substantiated.
22. All Tribunal decisions will be by majority vote.
23. The Tribunal chairperson may announce the decision of the Tribunal at the conclusion of the hearing. Alternatively, he or she may reserve the decision of the Tribunal at the conclusion of the hearing and deliver the decision at a later time.
24. The respondent(s) will have the opportunity to make submissions to the Tribunal in relation to any sanctions that may be imposed.
25. Within 48 hours of the Tribunal delivering its decision, the Tribunal chairperson will:
 - forward a notice of the Tribunal’s decision to the *[insert relevant official]*, including details of any sanction imposed.
 - forward a letter reconfirming the Tribunal’s decision to the respondent(s), including any sanction imposed. The letter should also outline the process and grounds for an appeal, if allowed.
26. The Tribunal does not need to provide written reasons for its decision.

Note: care must be taken when conducting hearings that involve children under 18 years of age. If a hearing is related to misconduct towards the child, care must be taken where possible to protect the identity of the child. For example documentation produced during the investigation and hearing must not identify names of children under 18 and all related documentation must be stored securely.

In this situation particularly it may be appropriate to keep the complainant and respondent separate during the hearing.

It is advised to seek further advice regarding this.

Appeals procedure

[Note: It is considered good practice to provide a process to appeal against a decision of a Tribunal. However, the grounds for an appeal should be specific; for example, they may be limited to a denial of procedural fairness or the imposition of an unreasonable penalty. The jurisdiction of the appeal body should be outlined in your constituent documents, rules, regulations or by-laws. Any inconsistency between the policy and the NSO, SSO and

club's other procedures is problematic and may mean the decision of an appeal body under this policy is invalid.

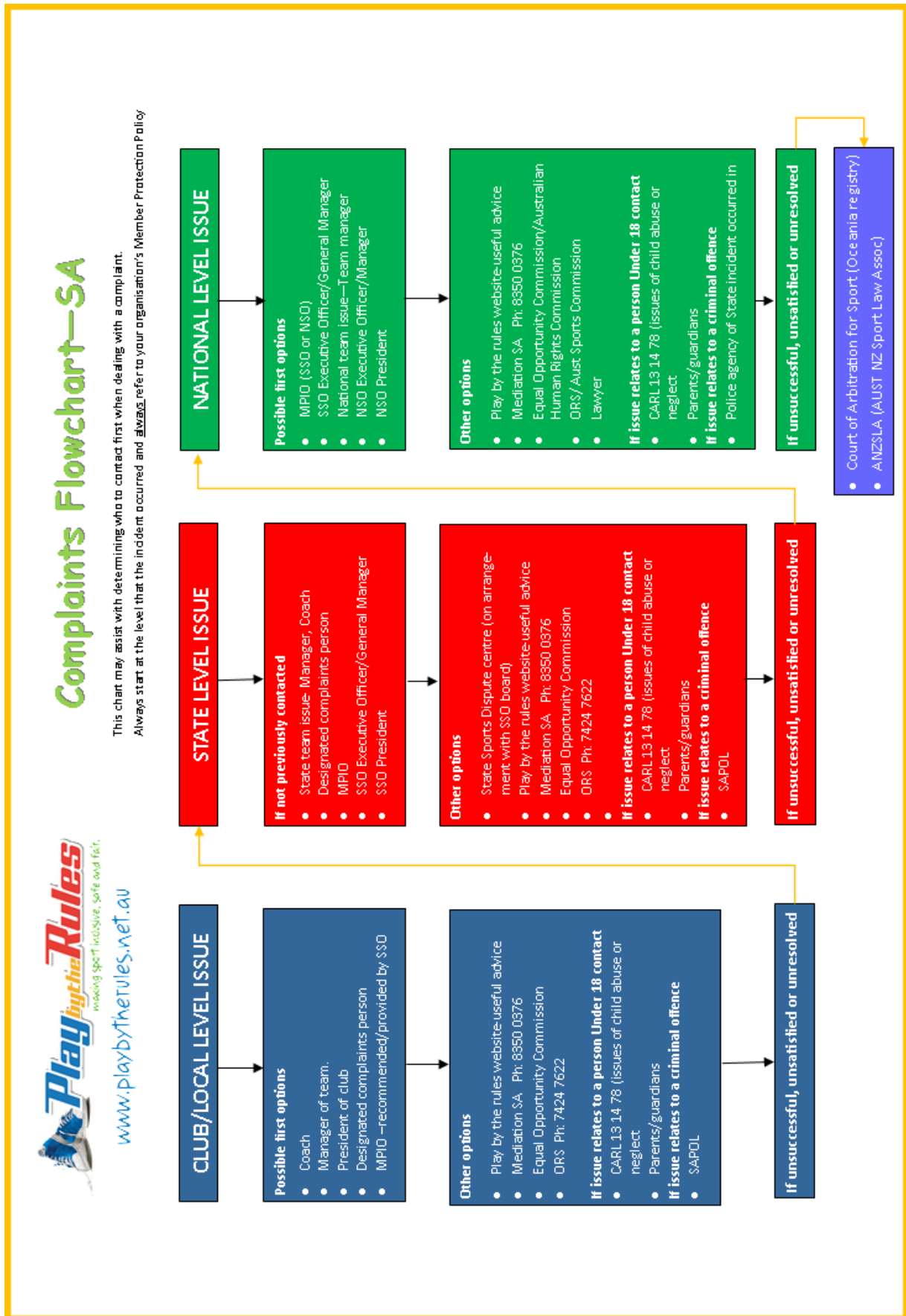
27. A complainant or a respondent(s) may lodge with **Salisbury 8Ball & Sports Association of South Australia Incorporated**

an appeal in relation to the decision of a Tribunal on one or more of the following grounds:

- 26.1 that a denial of procedural fairness has occurred;
- 26.2 that the sanction imposed is unjust and/or unreasonable;
- 26.3 that the decision was not supported by the information/evidence provided at the mediation or to the Tribunal Hearing;
- 26.4 *[insert any other ground/s].*

- 28. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the *[insert relevant official under your Constitution e.g. CEO or a Secretary]* within *[insert number]* days of the decision being made. *[An appeal fee of \$[insert amount] shall be included with the letter of intention to appeal.]*
- 29. If the letter of appeal is not received by the *[insert relevant official under your Constitution]* within this time, the right of appeal will lapse. *[If the letter of appeal is received but the appeal fee is not received within this time, the appeal will also lapse.]*
- 30. The letter of appeal and the notice of the Tribunal's decision (clause 24) will be forwarded to the *[insert relevant official or committee]* to review and to decide whether there are sufficient grounds for the appeal to proceed. The *[insert relevant official or committee]* may invite any witnesses to the meeting that he or she believes are required to make an informed decision.
- 31. If the appellant has not shown sufficient grounds for an appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision. *[The appeal fee will be forfeited.]*
- 32. If the appeal is accepted, an Appeal Tribunal with new panel members will be convened to rehear the complaint, *[and the appeal fee will be refunded].*
- 33. The Tribunal hearing procedure shall be followed for the Appeal Tribunal.
- 34. The decision of the Appeal Tribunal will be final and binding.

**Attachment D5:
PBTR Complaint Flow Chart**



Attachment E1:
RECORD OF INFORMAL COMPLAINT

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

If investigated:	Finding
If heard by Tribunal:	Decision Action recommended
If mediated:	Date of mediation: Both/all parties present Agreement Any other action taken
If decision was appealed	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: Date / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept confidential and secure. If the complaint is of a serious nature, or if it is taken to and/or dealt with at the state level, the original record must be provided to *[insert name of SSO]* and a copy kept with the organisation where the complaint was first made.

**Attachment E3:
PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE**

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

Detailed guidelines for organisations for managing an allegation of child abuse in recreation and sport can be found at
[:www.ors.sa.gov.au/ data/assets/pdf file/0006/153564/child_abuse_allegations_guidelines_050115.pdf](http://www.ors.sa.gov.au/data/assets/pdf_file/0006/153564/child_abuse_allegations_guidelines_050115.pdf)

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

All people working with *Salisbury 8Ball & Sports Association of South Australia Incorporated* in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

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

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

Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the *President or other official*] of *Salisbury 8Ball & Sports Association of South Australia Incorporated* so that he or she can manage the situation or refer it of the (SSO).

Step 3: Protect the child and manage the situation

Serious allegations should always be referred to **(SSO)** for advice and support

- The *[insert President, Child Safe Officer or other official]* will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is an employee of **Salisbury 8Ball & Sports Association of South Australia Incorporated**
- The *[insert President, Child Safe Officer or other official]* will consider what services may be most appropriate to support the child and his or her parent/s.
- The *[insert President, Child Safe Officer or other official]* will consider what support services may be appropriate for the alleged offender.
- The *[insert President, Child Safe Officer or other official]* will seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

- At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)
 - a child protection investigation (conducted by the relevant child protection agency)
 - a disciplinary or misconduct inquiry/investigation (conducted by *[insert name of SSO]*).
- *[insert name of SSO]* will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in *[Clause 9]* of our Member Protection Policy.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take.

Attachment E4:

REPORTING CHILD ABUSE AND NEGLECT

Under the *Children's Protection Act 1993* mandated notifiers are required by law to notify the Families SA Child Abuse Report Line **13 1478**, if they suspect on reasonable grounds that a child/young person has been abused or neglected and the suspicion is formed in the course of the person's work (whether paid or voluntary) or in carrying out official duties:

Mandated notifiers are any person who is an employee of, or volunteer in, a government or non-government organisation that provides health, welfare, education, sporting or recreational, child care or residential services wholly or partly for children.

These people:

- a) Are engaged in the actual delivery of those services to children; or
- b) Hold a management position in the relevant organisation the duties of which include direct responsibility for, or direct supervision of, the provision of those services to children.

It is also an offence to prevent a person from discharging the obligation of mandatory reporting through threat, intimidation or unfavourable treatment.

NB: There is no legal requirement for a mandatory reporter to be trained. Rather, everyone in the above roles have a responsibility to report.

Salisbury 8Ball & Sports Association of South Australia Incorporated supports that all people engaged in activities associated with **Salisbury 8Ball & Sports Association of South Australia Incorporated** have a moral obligation to report any suspicion of child abuse or neglect.

Keeping children safe in recreation and sport resource:

www.ors.sa.gov.au/_data/assets/pdf_file/0009/150021/Keeping_Children_Safe_Booklet_2015.pdf

Further information can be found

at: <http://www.decd.sa.gov.au/docs/documents/1/GdelinesRptgAbuseNeglect.pdf>