

**QUEENSLAND RIFLE ASSOCIATION
MEMBER PROTECTION POLICY**



**ADOPTED BY THE QUEENSLAND RIFLE
ASSOCIATION BOARD ON 24/11/2016**

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PREFACE

The central goal of Queensland Rifle Association (QRA) is to develop the sport of shooting throughout Queensland for the safety and enjoyment of its participating members.

QRA is committed to providing a sport and work environment free of harassment and discrimination. QRA aims to ensure the core values, good reputation and positive behaviours and attitudes of QRA are maintained. QRA believes that anyone who works for it, and everyone whom it deals, has the right to be treated with respect and dignity. QRA will not tolerate any type of behaviour, which will bring the sport of shooting into disrepute, and this policy is an essential part of QRA's proactive and preventative approach to tackling inappropriate behaviour. QRA will therefore take all complaints seriously, and will ensure they are dealt with promptly, sensitively and with confidentiality.

QRA is committed to ensure that everyone associated with the organisation complies with this policy.

REVIEW HISTORY OF QRA MEMBER PROTECTION POLICY

Date Adopted by the QRA Board 24/11/2016

Date Member Protection Policy Effective 24/11/2016

(rescinded previous Child Protection Policy dated June 2015)

PART A: MEMBER PROTECTION POLICY

1. PURPOSE OF THIS POLICY

This Member Protection Policy Bylaw (**Policy**) aims to assist Queensland Rifle Association (QRA) 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 involved in our sport is treated with respect and dignity and protected from discrimination, harassment and abuse. It also ensures that everyone involved in our sport is aware of their legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

The policy attachments 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, QRA will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed by QRA's Board of Directors and has been incorporated into our Bylaws. The policy commences with effect on 24/11/2016 and will operate until replaced.

The current policy and its attachments can be obtained from our website at: www.qldrifle.com

This policy is supported by Member Protection Policies that have been adopted and implemented by our member associations and affiliated clubs.

2. WHO THIS POLICY APPLIES TO

This policy applies to the following organisations and individuals:

- QRA;
- Full Members and Associate Members;
- Clubs;
- Persons appointed or sitting on boards, committees and sub-committees of QRA , Full Members and Clubs;
- Employees, officials and volunteers appointed or elected by QRA, Full Members or Clubs;
- Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- Coaches (including assistant coaches) who:
 - are appointed and/or employed by QRA, Full Members or a Club (whether paid or unpaid); or
 - have an agreement (whether or not in writing) with QRA, Full Members or a Club;
- Shooters who enter or participate in any activity or event (including camps and training sessions) which are held or sanctioned by QRA, Full Members or a Club;
- Any person or organisation, who or which is a member of, or affiliated to, QRA, a Full Member or a Club;
- Any other person or organisation who, or which agrees in writing or otherwise to be bound by this policy; and
- Parents, guardians, spectators and sponsors to the full extent that is possible.

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This policy will continue to apply to a person even after they have stopped their association or employment with QRA if disciplinary action relating to an allegation of child abuse against that person has commenced.

3. RESPONSIBILITIES OF THE ORGANISATIONS

3.1 QRA must:

- (a) adopt, implement and comply with this policy;
- (b) ensure that the Constitution, By-laws or other rules and policies include the necessary clauses for this policy to be enforceable;
- (c) publish, distribute and promote this policy and the consequences of breaches;
- (d) promote and model appropriate standards of behaviour at all times;
- (e) deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner;
- (f) apply this policy consistently;
- (g) recognise and enforce any penalty imposed under this policy;
- (h) ensure that a copy of this policy is available or accessible to the persons and associations to whom this policy applies;
- (i) use appropriately trained people to receive and manage complaints and allegations; and
- (j) monitor and review this policy at least annually.

3.2 Full Members, Associate Members and Clubs must:

- (a) adopt, implement and comply with this policy;
- (b) publish, distribute and otherwise promote this policy and the consequences for breaching it;
- (c) promote appropriate standards of conduct at all times;
- (d) promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- (e) apply this policy consistently without fear or favour;
- (f) recognise and enforce any penalty imposed under this policy; and
- (g) ensure that a copy of this policy is available or accessible to the persons to whom this policy applies.

4. INDIVIDUAL RESPONSIBILITIES

Individuals bound by this policy are responsible for:

- 4.1 making themselves aware of the policy and complying with the codes of behaviour it sets out;
- 4.2 consenting to our screening requirements and any state/territory Working with Children Checks 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

- 4.3 placing the safety and welfare of children above other considerations;
- 4.4 being accountable for their behaviour;
- 4.5 following the steps outlined in this policy for making a complaint or reporting possible child abuse; and
- 4.6 complying with any decisions and/or disciplinary measures imposed under this policy.

5. POSITION STATEMENTS

5.1 Child Protection

QRA is committed to the safety and wellbeing 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 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 participants.

5.1.1.1: Identify and Analyse Risk of Harm

QRA will develop and implement a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another person.

5.1.2.2: Develop Codes of Conduct for Adults and Children

QRA will ensure that the organisation has codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The organisation will also implement a code of conduct to address appropriate behaviour between children.

The code(s) of conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour. (See Part B of this policy)

5.1.3.3: Choose Suitable Employees and Volunteers

QRA will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions). This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

QRA will ensure that working with children checks/criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law. If a criminal history report is obtained as part of their screening process, QRA will ensure that the criminal history information is dealt with in accordance with relevant state requirements. (See Part C)

5.1.4.4: Support, Train, Supervise and Enhance Performance

QRA will ensure that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

5.1.5.5: Empower and Promote the Participation of Children in Decision-Making and Service Development

QRA will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

5.1.6.6: Report and Respond Appropriately To Suspected Abuse and Neglect

QRA 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 under state laws 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. (Refer to the attachments in Part D of this policy.)

5.2 Taking Images of Children

Images of children can be used inappropriately or illegally. QRA 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 and ensure that the parent knows the way the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If QRA uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. We will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not display information about hobbies, likes/dislikes, school, etc. as this information can be used by paedophiles or other persons to "groom" a child.

We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc. Where possible we will seek permission to use these images. We require our Full Members and Associate Members to do likewise.

5.3 Anti-Discrimination and Harassment

QRA aims to provide an environment where all those involved in our activities and events are treated with respect.

We recognise that people cannot participate, enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

We prohibit all forms of harassment, discrimination and bullying based on the personal characteristics listed in the "Definitions" set out in our Dictionary of Terms (see clause 10 of this policy). In most circumstances, this behaviour is against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, they may make an internal complaint. In some circumstances, they may also be able to make a complaint to an external organisation. (Refer to the attachments in Part D of this policy.)

5.4 Sexual Relationships

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

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

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

5.5 Pregnancy

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

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

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

If a pregnant woman feels she 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.)

5.6 Gender Identity

QRA is committed to providing a safe, fair and inclusive sporting environment where people of all backgrounds can contribute and participate. People who identify as transgender or transsexual should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition.

We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual. If a transgender or transsexual person feels he or she has been harassed or discriminated against 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.)

QRA recognises that excluding transgender and transsexual people from participating in sporting events and activities has significant implications for their health, well-being and involvement in community life. In general, we will support their participation in our sport on the basis of the gender with which they identify.

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

QRA is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends to compete at an

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elite level, we will encourage them to obtain advice about the IOC's criteria, which may differ from the position we have taken.

Drug testing procedures and prohibitions also apply to people who identify as transgender. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption.

5.7 Responsible service and consumption of Alcohol

QRA is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that Full Members, Associate Members and 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 will be provided for young people and families;
- food and low-alcohol and non-alcoholic drinks will be available at events we hold or endorse where alcohol is served;
- a committee member or staff member will be present at events we hold or endorse where alcohol is served to ensure appropriate practices are followed;
- safe transport options will be promoted as part of any event we hold or endorse where alcohol is served.

Further guidance on developing an Alcohol Policy is available at:
www.playbytherules.net.au/resources/club-toolkit

5.8 Smoke Free environment

The following policies should be applied to sporting and social events:

- No smoking shall occur at or near any sporting event or competition involving persons under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers;
- Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas;
- Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity for any of QRA Full Member, Associate Members or representative team, on and off the field.

5.9 Cyber Bullying/Safety

QRA regards bullying and harassment in all forms as unacceptable in our sport. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

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.

QRA will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. In some cases, bullying is a criminal offence punishable.

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Frustration at an official, 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.

5.10 Social Networking Websites Policy

QRA acknowledges the enormous value of social networking websites, such as Facebook and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport.

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

Social media postings, blogs, status updates and tweets:

- must not use offensive, provocative or hateful language
- must not be misleading, false or in the opinion of QRA adversely affect or be likely to adversely affect the reputation of another person
- should respect and maintain the privacy of others
- 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

6. COMPLAINTS PROCEDURES

6.1 Complaints

As a first step, QRA encourages persons with a complaint (a Complainant) to try and sort out the problem with the person or people involved themselves, where it is safe to do so and where they feel comfortable in doing so.

It will not always be appropriate for a Complainant to address the problem themselves, and in such circumstances QRA provides a simple procedure for complaints based on the principles of procedural fairness (natural justice). Any person may report a complaint about a person/s or organisation bound by this policy (Respondent). Such complaints should be reported to the relevant Grievance Officer. Where the Complainant is a non-member, QRA may deal with the matter in line with this MPP, or in such other matter as is deems fit in its sole discretion.

A complaint should be dealt with at the relevant level. Therefore, if a complaint relates to behaviour or an incident that occurred at the:

- Full Member or Associate Member Level or involves people participating or otherwise involved at the Full Member or Associate Member level, then the complaint should be reported to and handled by the relevant Full Member or Associate Member in the first instance; or
- Club level (of any QRA Full or Associate member) or involves people participating or otherwise involved at the club level (of any QRA Full or Associate member), then the complaint should be reported to and handled by the relevant club in the first instance.

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

A complaint may be dealt with informally or formally. The complainant usually decides this unless the relevant Grievance Officer considers that the complaint falls outside this policy and

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would be better dealt with another way and/or the law requires the complaint/allegation to be reported to an appropriate authority.

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

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

6.2 Improper Complaints & Victimisation

QRA aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against the person making the complaint.

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

If at any point in the complaints process the Grievance Officer considers that a complainant has **knowingly** made an untrue complaint or the complaint is malicious or intended to cause distress to the person complained of, the matter may be referred to the relevant person for appropriate action which may include disciplinary action against the complainant.

6.3 Mediation

QRA 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. Mediation may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the relevant official e.g. Grievance Officer will, where he or she determines it to be appropriate and in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to negotiate on behalf of the complainant and/or respondent.

More information on the mediation process is outlined in attachment D2.

6.4 Tribunals

A Tribunal may be convened to hear a formal complaint referred to it. Unless otherwise stated in the QRA Disciplinary Tribunal policy, or other such policy or by-law, the EO has discretion to determine whether a complaint under this Policy is:

- referred to a Disciplinary Tribunal of QRA; or
- not suitable for referral to a Tribunal.

The Tribunal procedure for matters under this policy is the QRA Disciplinary Tribunal policy, available on our website.

A respondent may lodge an appeal only in respect of a Tribunal decision in accordance with the QRA Disciplinary Tribunal policy. The decision of an Appeal Tribunal is final and binding on the people involved.

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

7. WHAT IS A BREACH OF THIS POLICY

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

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- 7.1 Breaching the Codes of Behaviour (Part B of this policy);
- 7.2 Bringing the sport and/or QRA into disrepute, or acting in a manner likely to bring the sport and/or QRA into disrepute, or otherwise acting in a manner unbecoming of a member of QRA;
- 7.3 Failing to follow QRA policies (including this policy) and procedures for the protection, safety and welfare of children;
- 7.4 Discriminating against, harassing or bullying (including cyber bullying) any person;
- 7.5 Victimising another person for making or supporting a complaint;
- 7.6 Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- 7.7 Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 7.8 Disclosing to any unauthorised person or organisation any QRA information that is of a private, confidential or privileged nature;
- 7.9 Making a complaint that they know to be untrue, vexatious, malicious or improper;
- 7.10 Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- 7.11 Failing to comply with a direction given to the individual or organisation during the discipline process.

8. DISCIPLINARY MEASURES

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

Any disciplinary measure imposed under this policy will be:

- fair and reasonable;
- applied consistent with any contractual and employment rules and requirements;
- based on the evidence and information presented and the seriousness of the breach;
- determined in accordance with our Constitution, By Laws, this policy and/or Rules of the sport; and
- in accordance with the QRA Disciplinary Tribunal policy.

8.1 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:

- 8.1.1 A direction that the individual make a verbal and/or written apology;
- 8.1.2 A written warning;
- 8.1.3 A direction that the individual attend counselling to address their behaviour;

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- 8.1.4 A withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by QRA;
- 8.1.5 A demotion or transfer of the individual to another location, role or activity;
- 8.1.6 A suspension of the individual's membership or participation or engagement in a role or activity;
- 8.1.7 Termination of the individual's membership, appointment or engagement;
- 8.1.8 A recommendation that QRA terminate the individual's membership, appointment or engagement;
- 8.1.9 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;
- 8.1.10 A fine; and / or
- 8.1.11 Any other form of discipline that the designated person/committee considers appropriate.

8.2 Organisation

If a finding is made that an QRA Member (Full or Associate) or any affiliated organisation has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by a tribunal:

- 8.2.1 A written warning;
- 8.2.2 A fine;
- 8.2.3 A direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;
- 8.2.4 A direction that any funding granted or given to it by QRA cease from a specified date;
- 8.2.5 A direction that QRA cease to sanction events held by or under the auspices of that organisation;
- 8.2.6 A recommendation to QRA that its membership be suspended or terminated in accordance with the relevant constitution or rules; and/or
- 8.2.7 Any other form of discipline that the national body or peak organisation considers to be reasonable and appropriate.

8.3 Factors to consider

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

- the nature and seriousness of the breach;
- if the person knew or should have known that the behaviour was a breach;
- 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 discipline if the person is a parent or spectator (even if they are bound by the policy); and/or

- any other mitigating or relevant circumstances.

9. DICTIONARY

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

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

Associate Member means any Associate Member recognised as such under the QRA Constitution.

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

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

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

Club means any club affiliated with QRA.

Complaint means a complaint made under clause 6.

Complainant means a person making a complaint.

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

Constitution means the constitution of QRA in force from time to time.

Discrimination occurs when someone is treated unfairly or less favourably than another person in the same or similar circumstances because of a particular personal characteristic. This is known as direct discrimination. Indirect discrimination occurs when a rule, policy or practice disadvantages one group of people in comparison with others, even though it appears to treat all people the same.

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

- age;
- disability;
- family/carer responsibilities;
- gender identity/transgender status;
- homosexuality and sexual orientation;
- irrelevant medical record;
- irrelevant criminal record;

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- political belief/activity;
- pregnancy and breastfeeding;
- race;
- religious belief/activity;
- sex or gender;
- social origin;
- trade union membership/activity.

Some States and Territories include additional characteristics such as physical features or association with a person with one or more of the characteristics listed above.

Examples of Discrimination are available on the Play by the Rules website (www.playbytherules.net.au/legal-stuff/discrimination) and can include:

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

Some exemptions to state and federal anti-discrimination law apply, such as:

- Holding a competitive sporting activity for boys and girls only who are under the age of 12, or of any age where strength, stamina or physique is relevant;
- 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 activity.

Full Member means any Full Member recognised as such under the QRA Constitution.

Grievance Officer means the EO, or such person as the EO may appoint on a case-by-case basis.

Harassment is any type of behaviour that the other person does not want and is likely to make the person feel intimidated, insulted or humiliated. Unlawful harassment can target a person because of their race, sex, pregnancy, marital status, sexual orientation or some other personal characteristic protected by law (see characteristic 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 on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability (see also "Vilification").

Mediator means an impartial person appointed to help those involved in a complaint to talk through the issues and resolve the matter on mutually agreeable terms.

Natural justice (also referred to as procedural fairness) requires that:

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

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

Policy, policy and this policy means this Member Protection Policy.

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

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

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

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

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

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

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

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

Vilification involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics listed under the definition of "Discrimination".

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 behaviour of 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; and
- to encourage and support opportunities for participation in all aspects of our sport.

ATTACHMENTS

- B1. General Code of Conduct
- B2. Coaches Code of Conduct
- B3. Officials Code of Conduct
- B4. Athletes Code of Conduct
- B5. Administrator (volunteer) Code of Conduct
- B6. Parent/Guardian Code of Conduct
- B7. Board Member Code of Conduct
- B8. Spectator Code of Conduct

Attachment B1: GENERAL CODE OF CONDUCT

QRA expects high standards of behaviour from all people involved in the sport. It is vital that the integrity of the sport is maintained in accordance with the four guiding principles: Fairness, Respect, Responsibility and Safety as outlined in *The Essence of Australian Sport's* Universal Code of Behaviour.

As a person required to comply with this policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by QRA and in any role you hold within QRA, a Full Member, Associate Member or a Club:

Fairness

1. Operate within the rules and spirit of your sport, promoting fair play over winning at any cost.
2. Encourage opportunities for participants to learn appropriate behaviours and skills.
3. Encourage participation in all aspects of the sport.
4. Be fair, considerate and honest in all dealing with others.

Respect

5. Treat each person as an individual.
6. Be a positive role model.
7. Display control, tolerance and courtesy to all involved with the sport.
8. Value the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.
9. Do not use your involvement with QRA, a Full Member, Associate Member or a Club to promote your own beliefs, behaviours or practices where these are inconsistent with those of QRA, a Full Member, Associate Member or the Clubs.

Responsibility

10. Ensure interaction with persons under the age of 18 years is appropriate and that unaccompanied and unobserved activities are avoided wherever practical.
11. Adopt appropriate behaviour in relation to the use of alcohol and recreational and performance enhancing drugs.
12. Act with integrity and accept responsibility for your actions.
13. Make a commitment to providing quality service.
14. Understand your responsibility if you breach, or are aware of any breaches of this Code of Conduct.

Safety

15. Ensure your actions contribute to a safe environment.
16. Ensure your actions contribute to a harassment free environment.
17. Do not tolerate violence or abusive behaviours.
18. Show concern and caution towards others who may be sick or injured.

Attachment B2: COACH CODE OF CONDUCT

In addition to the General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by QRA, and in your role as a coach of QRA, a Full Member, Associate Member or a Club:

1. Treat all athletes with respect at all times. Be honest and consistent with them.
2. Honour all promises and commitments, both verbal and written.
3. Provide feedback to athletes in a caring sensitive manner to their needs. Avoid overly negative feedback.
4. Recognise athletes' rights to consult with other coaches and advisers. Cooperate fully with other specialists (e.g. sports scientists, doctors, physiotherapists etc.).
5. Treat all athletes fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status, and other condition.
6. Encourage and facilitate athletes' independence and responsibility for their own behaviour, performance, decisions and actions.
7. Involve the athletes in decisions that affect them.
8. Determine, in consultation with athletes and others, what information is confidential and respect that confidentiality.
9. Encourage a climate of mutual support among your athletes.
10. Encourage athletes to respect one another and to expect respect for their worth as individuals regardless of their level of play.
11. At all times use appropriate training methods that in the long term will benefit the athletes and avoid those which could be harmful.
12. Ensure that the tasks/training set are suitable for age, experience, ability and physical and psychological conditions of the athletes.
13. Be acutely aware of the power that you as a coach develop with your athletes in the coaching relationship and avoid any sexual intimacy with athletes that could develop as a result.
14. Avoid situations with your athletes that could be construed as compromising.
15. Refrain from any form of sexual harassment towards athletes. Any physical contact with a person should be appropriate to the situation and necessary for the athlete's skill development.
16. Actively discourage the use of performance enhancing drugs, the use of alcohol and tobacco and illegal substance.
17. Respect the fact that your goal as a coach for the athlete may not always be the same as that of the athlete. Aim for excellence based upon realistic goals and due consideration for the athlete's growth and development.
18. Recognise individual differences in athletes and always think of the athlete's long-term best interests.
19. Help each athlete reach their potential
20. Set challenges for each athlete which are both achievable and motivating.
21. At all times act as a role model that promotes the positive aspects of sport and of shooting by maintaining the highest standards of personal conduct and projecting a favourable image of the sport of shooting and of coaching at all times.
22. Do not exploit any coaching relationship to further personal, political, or business interests at the expense of the best interest of your athlete.
23. Encourage athletes and coaches to develop and maintain integrity in their relationship with others.
24. Respect other coaches and always act in a manner characterised by courtesy and good faith.
25. When asked to coach an athlete, ensure that any previous coach-athlete relationship has been ended by the athlete/others in a professional manner.
26. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules.
27. Know and abide by QRA rules, regulations and standards, and encourage athletes to do likewise. Accept both the letter and the spirit of the rules.
28. Be honest and ensure that qualifications are not misrepresented.
29. Be open to other people's opinion and willingness to continually learn and develop.

Attachment B3: OFFICIALS CODE OF CONDUCT

In addition to General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by QRA, and in your role as an official appointed by QRA, a Full Member, Associate Member or a Club:

1. Place the safety and welfare of the athletes/participants above all else.
2. Accept responsibility for all actions taken.
3. Condemn unsporting behaviour and promote respect for all participants.
4. Avoid any situation that may lead to a conflict of interest.
5. Be courteous, impartial respectful and open to discussion and interaction.
6. Value the individual in sport.
7. Encourage and promote rule changes that will make participation more enjoyable.
8. Encourage inclusivity and access to all areas of officiating.

Attachment B4: ATHLETES CODE OF CONDUCT

In addition to the General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by QRA, and in your role as an athlete of QRA, a Full Member, Associate Member or a Club:

1. Give your best at all times
2. Participate for your own enjoyment and benefit.
3. Respect the rights, dignity and worth of fellow athletes, coaches, officials and spectators.
4. Refrain from conduct which could be regarded as sexual or other harassment towards fellow athletes and coaches.
5. Respect the talent, potential and development of fellow squad members and competitors.
6. Care and respect the equipment provided to you as part of your program.
7. Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
8. Conduct yourself in a professional manner relating to language, temper and punctuality.
9. Maintain high personal behaviour standards at all times.
10. Abide by the rules and respect the decision of the adjudicator, making all appeals through the formal process and respecting the final decision.
11. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team.
12. Cooperate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.

Attachment B5: ADMINISTRATOR (VOLUNTEER) CODE OF CONDUCT

In addition to the General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of QRA, and in any role as an administrator of QRA, a Full Member, Associate Member or a Club:

1. Be fair, considerate and honest in all dealing with others.
2. Be professional in, and accept responsibility for your actions. Your language, presentation, manners and punctuality should reflect high standards.
3. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
4. Resolve conflicts fairly and promptly through established procedures.
5. Maintain strict impartiality.
6. Maintain a safe environment for you and others.
7. Be aware of your legal responsibilities.
8. Be a positive role model for others.
9. Act honestly, in good faith and in the best interests of the sport as a whole.
10. Ensure that any information acquired or advantage gained from the position is not used improperly.

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11. Conduct responsibilities with due care, competence and diligence.
12. Do not allow prejudice, conflict of interest or bias to affect your objectivity.

Attachment B6: PARENT/GUARDIAN CODE OF CONDUCT

Parents, guardians, and other responsible persons for minors that otherwise participate in QRA events and competitions, agree to be bound to this Member Protection Policy by virtue of their child or minor's participation in QRA events and competitions, or membership of SA.

In addition to the General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by QRA, and in your role as a parent/guardian of an athlete of QRA, a Full Member, Associate Member or a Club:

1. Treat your child the same irrespective of them winning or losing.
2. Remember that your child participates in the sport of shooting for their enjoyment not yours.
3. Try to have fun when you are around your children at competitions.
4. Well-directed humour can be a great de-stressor.
5. Look relaxed, calm and positive on the sidelines.
6. Make friends with other parents at competitions.
7. Get involved in appropriate ways if your child or the coach behaves in unacceptable ways during competitions.
8. Respect officials' and coaches' decisions and teach children to do likewise.
9. Show appreciation for coaches, officials and administrators.
10. Understand that children will benefit from a break sometimes and that involvement in other sports is okay.
11. Be there when your child performs poorly. Be an understanding listener rather than a critic, judge and/or fixer.
12. Be prepared to give your child some space so that he/she can grow and develop as an independent person.
13. Let your child know that your love for them is not associated with their sporting performances.
14. Communicate with your child and ask them how they are really feeling about their sport and about competing in particular.
15. Occasionally let your child compete without you being there and hovering over them.
16. Emphasise the good things your child did in preparing for and during the competition/regatta.
17. Try to avoid:
 - Saying "we're competing today". Instead say "you're competing today". Give your child credit for accepting the responsibility of performing.
 - Getting too pushy or believe that you are indispensable. Let the coach do the coaching.
 - Living through your child's performances.
 - Turning away when your child performs.
 - Turning away when your child's behaviour is unsportsmanlike.
 - Telling your child what he/she did wrong after a tough race.
 - Making enemies with your child's opponents or family during a competition/regatta.
 - Making your child feel guilty by reminding them about all the time, money and sacrifices you are making for his or her sport.
 - Thinking of your child's sporting performances as an investment for which you expect a return.
 - Badgering, harassing or use sarcasm to motivate your child.
 - Comparing your child's performances with those of other children.
 - Forcing your child to go to training. If they are sick of training find out why and discuss it with them.
 - Ridiculing or yell at a child for making a mistake or losing a competition.

Attachment B7: BOARD MEMBER CODE OF CONDUCT

1. A Director should act honestly, in good faith and in the best interests of QRA at all times.
2. A Director should use due care and diligence in fulfilling the functions of office and exercising the powers attached to that office.
3. A Director should not make improper use of information acquired as a Director.

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4. A Director should not take improper advantage of the position as a Director.
5. A Director should be independent in judgment and actions and take all reasonable steps to be satisfied as to the soundness of all decisions taken by the Board of Directors.
6. A Director should not engage in conduct likely to bring discredit upon QRA.
7. A Director should advise the Board immediately when he/she becomes aware of any issue that may give rise to legal, regulatory or disciplinary actions. If such actions may impact on QRA reputation, he/she should either step down until the matter has been resolved or resign from the Board. Once the matter has been resolved, it will be for the Board to decide whether the Director should resume his/her position or resign.
8. A Director should not place himself or herself in a position where there is a possibility of conflict.
9. A Director should advise the Board if he/she have a material personal interest in a matter that relates to the affairs of QRA. If this matter is being voted upon, then he/she must not vote on the matter or be present while the matter is being considered.
10. A Director should not solicit or accept benefits, entertainment, gifts, bribes, secret commissions or illegal inducements of any kind.
11. A Director must not disclose confidential information unless that disclosure has been duly authorised by the Board.
12. A Director should show concern and courtesy towards others.

Attachment B8: SPECTATOR CODE OF CONDUCT

Spectators that are not otherwise members of QRA, or otherwise bound to the Member Protection Policy, must nevertheless comply with its terms and conditions, or shall, in QRA's discretion, be prohibited from entry to QRA events, activities or competitions. In particular, spectators are required to:

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

PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

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

Employment screening and Working with Children Checks 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.

Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory and South Australia. The relevant Australian Capital Territory laws will commence fully on 8 November 2014, however it is relevant to note that some laws are already in operation and have taken effect.

QRA, Full Members, Associate Members and Clubs are required to comply with the relevant state or territory Working with Children Check laws.

Employment screening requirements will also be followed in the Australian Capital Territory (up to 7 November 2014) and Tasmania.

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. Only persons with appropriate Working with Children Check registration from the State or Territory in Australia in which they reside will be permitted to attend overseas events, trainings or competitions as a QRA Coach or Official.

ATTACHMENTS

- Attachment C1: Screening requirements (for the Australian Capital Territory and Tasmania)
- Attachment C2: Member Protection Declaration
- Attachment C3: Working with Children Check requirements

Attachment C1: SCREENING REQUIREMENTS

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

QRA will, and also requires Full Members, Associate Members and Clubs to:

1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed *Member Protection Declaration (MPD)* (Attachment C2) from all people who are identified in the above step and keep it in a secure place.
3. Provide an opportunity for a person to give an explanation if a MPD is not provided or it reveals that the person does not satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied, we will not appoint them to the role/position.
4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
5. Ask the people identified in step 1 to sign a consent form for a national police check.
6. Possibly request (or ask the person to request) a national 'Part Exclusion' police check from our relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we will make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If unsatisfied, we will not appoint them to the role/position.
7. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under our policy. If unsatisfied, we will not appoint them.
8. Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
10. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.

Attachment C2: MEMBER PROTECTION DECLARATION

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

I (name) of
..... (address) born/...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.
4. I am not currently serving a sanction for an anti-doping rule violation under an ASADA approved anti-doping policy applicable to me.
5. I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA approved anti-doping policy applicable to me.
6. To my knowledge there is no other matter that the QRA may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the EO of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in clauses 1 to 6 above has changed.

Declared in the State/Territory of
on/...../.....(date) Signature

Parent/Guardian Consent (in respect of a person under the age of 18 years)

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

Name:.....

Signature:.....

Date:

Attachment C3: WORKING WITH CHILDREN CHILD PROTECTION REQUIREMENTS

The following information was updated in January 2014. It is subject to change at any time. The following information is a guide only. Where the following information differs from information on the website of the relevant state department or agency, the information on the website shall take precedence to the extent of any inconsistency, and shall be read as forming part of this policy.

1. QUEENSLAND

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

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

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

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

For more information, including current forms, contact the Commission for Children and Young People and Child Guardian:

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

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 their preferences and the nature of the complaint.

We also provide an appeals process for those matters where it is required.

We will maintain confidentiality as far as possible and ensure that no one is victimised for making, supporting or providing information about a complaint.

ATTACHMENTS

- Attachment D1: Complaints procedure
- Attachment D2. Mediation
- Attachment D3. Investigation procedure
- Attachment D4. Tribunal procedure

PART D: COMPLAINT HANDLING PROCEDURES
ATTACHMENT D1: COMPLAINTS PROCEDURE

All complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

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

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

INFORMAL APPROACHES

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

In the first instance, you (the Complainant) should try to sort out the problem with the person or people involved (respondent) if you feel able to do so.

Step 2: Contact a Grievance Officer

We encourage you to talk with a Grievance Officer if:

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

The Grievance Officer or other relevant designated person will:

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

If you are unable to talk with the Grievance Officer about your complaint, due to your belief that the Grievance Officer is involved in the complaint or otherwise is not sufficiently independent, it is incumbent upon you to notify the Grievance Officer of this information, and the Grievance Officer will then appoint an independent person to act as Grievance Officer for the purposes of your complaint.

Step 3: Outcomes from initial contact

After talking with the Grievance Officer, you may decide:

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

FORMAL APPROACHES

Step 4: Making a Formal complaint

If your complaint is not resolved or informal approaches are not appropriate or possible, you may:

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

On receiving a formal complaint and based on the material you have provided, the Grievance Officer will decide whether:

- they are the most appropriate person to receive and handle the complaint;
- the nature and seriousness of the complaint warrants a formal resolution procedure;
- to refer the complaint to mediation;
- to appoint a person to **investigate** (gather more information on) the complaint;
- to refer the complaint to a hearings tribunal;
- to refer the matter to the police or other appropriate authority; and/or
- to implement any interim arrangements that will apply until the complaint process set out in these Procedures is completed.

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

- whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- the relationship between you and the respondent (for example an actual or perceived power imbalance between you and the respondent);
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the possibility that you will be subject to further unacceptable behaviour while the complaint process is underway.

If the Grievance Officer is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

- put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story;
- decide if they have enough information to determine whether the matter alleged in your complaint did or didn't happen; and/or
- determine what, if any, further action to take. This action may include disciplinary action in accordance with this policy.

Where the Grievance Officer is not the EO, after hearing your complaint the Grievance Officer may liaise with the EO on a confidential basis in order to determine any next steps.

Step 5: Investigation of the complaint

- A person appointed under Step 4 (or other authorised person) may conduct an investigation (following the process set out in attachment D3) and provide a written report to the EO (and the Grievance Officer where that is not the EO) who will determine what further action to take;
- If the complaint is referred to mediation, it will be conducted in accordance with Attachment D2 or as otherwise agreed by you and the respondent and the mediation provider;
- If the complaint is referred to a hearings tribunal, the hearing will be conducted in accordance with the QRA Disciplinary Tribunal policy;
- If the complaint is referred to the police or other appropriate authority, QRA will use reasonable endeavours to provide all reasonable assistance required by the police or other authority.
- It must be made clear to all parties that any investigator appointed is not seeking to resolve the matter, nor to decide whether any breach of this Policy has occurred, nor to impose any penalty. Decisions about Policy breaches may be referred to an independent tribunal, and wherever possible, mediations should be conducted by an independent mediator.

Step 6: Reconsideration of initial outcome/investigation or appeal

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If, under the formal complaint process, mediation is unsuccessful, you may request that the EO reconsider the complaint in accordance with **Step 4**.

You or the respondent(s) may be entitled to appeal in accordance with the QRA Disciplinary Tribunal policy.

Step 7: Documenting the resolution

QRA will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a state/district level, the information will be stored in the state association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the national level, the original document will be stored at the national office with a copy stored at the state office.

EXTERNAL APPROACHES

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

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

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

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

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

ATTACHMENT D2: MEDIATION

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

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

Our approach to mediation follows the steps set out below.

1. The Grievance Officer will appoint a mediator to help resolve the complaint. This will be done under the direction of QRA and in consultation with the complainant and the respondent(s). Where the Grievance Officer is not the EO, the Grievance Officer shall liaise with the EO prior to any appointment of a 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, the mediator will prepare a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect the terms of the agreement.
5. If the complaint is not resolved by mediation, the complainant may:
 - write to EO to request that the EO or other designated official reconsider the complaint in accordance with **Step 4**
 - approach an external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

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

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

ATTACHMENT D3: INVESTIGATION PROCESS

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

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

Any investigation that we conduct will be fair to all people involved.

Where the Grievance Officer is not the EO, the Grievance Officer shall liaise with the EO prior to any appointment of an investigator.

If it is decided that a complaint should be investigated under step 5 of clause D1, 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. The investigator will:
 - interview the complainant and record the interview in writing;
 - typically provide full details of the complaint to the respondent(s) so that they can respond, unless the investigator believes the complaint is of such a nature that full details should not be disclosed at this time;
 - 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, if there is a dispute over the facts;
 - make a recommendation 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 the recommendation the Grievance Officer (and the EO where the EO is not the Grievance Officer) documenting the complaint, the investigation process, the evidence, and any recommendations.
2. QRA may, in its absolute discretion, provide a copy of any report or recommendations, or any parts thereof, to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
3. The complainant and the respondent(s) are entitled to support throughout this process from their chosen support person or adviser at their own cost.
4. The complainant and the respondent(s) have no right of appeal against the findings or recommendations of the investigator, unless a finding has been made by the QRA Disciplinary Tribunal against that individual in relation to the complaint..

Attachment D4: HEARINGS & APPEALS TRIBUNAL PROCEDURE

All Disciplinary Tribunal hearings of violations of the Member Protection Policy, or otherwise in accordance with this policy, shall be heard and determined by the QRA Disciplinary Tribunal as constituted from time to time in accordance with the QRA Disciplinary Tribunal policy.

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 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.

The following information was updated in January 2014. It is subject to change at any time.

QUEENSLAND

If you have a reason to suspect a child in Queensland is experiencing harm, or is at risk of experiencing harm, you need to contact [Child Safety Services](#):

- **During normal business hours** - contact the [Regional Intake Service](#).
- **After hours and on weekends** - contact the Child Safety After Hours Service Centre on **1800 177 135** or (07) 3235 9999. The service operates 24 hours a day, seven days a week.

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

Queensland Police Service has a number of child protection and investigation units across Queensland. To contact the Queensland Police Service, contact the [Police District Communication Centre](#) nearest you.

If you aren't sure who to call, or for assistance to locate your nearest child safety service centre, contact Child Safety Services' Enquiries Unit on **1800 811 810**. Child safety service centres have professionally trained child protection staff who are skilled in dealing with information about harm or risk of harm to children.

ATTACHMENTS

- Attachment E1: Confidential record of informal complaint
- Attachment E2: Confidential record of formal complaint
- Attachment E3: Handling an allegation of child abuse
- Attachment E4: Confidential record of child abuse allegation

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Formal resolution procedures followed (outline)	
If investigated:	Finding:-
If went to hearing tribunal:	Decision:- Action recommended:-
If mediated:	Date of mediation:- Were both parties present:- Terms of Agreement:- Any other action taken:-
If 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: / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept in a confidential and safe place. If the complaint is of a serious nature, or if it is taken to and/or dealt with at the national level, the original record must be provided to QRA 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.

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au.

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

All people working with QRA 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 EO of QRA so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

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

Step 4: Take internal action

- Up to three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)
 - a child protection investigation (conducted by the relevant child protection agency)
 - a disciplinary or misconduct inquiry/investigation (conducted SA).
- Regardless of the findings of the police and/or child protection agency investigations, QRA will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.
- The EO of QRA will consider all information relevant to the matter – including any findings made by the police, the child protection authority and/or court – and then set out a finding, recommend actions and the rationale for those actions.
- If disciplinary action is recommended, we will follow the procedures set out in Clause 8 of our Member Protection Policy.
- We will provide the relevant government agency with a report of any disciplinary action we take, where this is required.

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

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

Attachment E4: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Before completing this form, please ensure that the steps outlined in Attachment E3 have been followed and advice has been sought from the police and/or the relevant child protection agency.

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

Member Protection Policy & Procedures

EO contacted	Who: When:
Police investigation (if any)	Finding:
Child protection agency investigation (if any)	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: : Signature: / /
Signed by	Complainant (if not a child)

This record and any notes must be kept in a confidential and safe place. If required, they should be provided to the police and/or the relevant child protection agency.