



**AUSTRALIAN PROFESSIONAL SKATERS' ASSOCIATION
INCORPORATED**

NATIONAL MEMBER PROTECTION

VERSION 3

(Updated 26th May 2011)

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REVIEW HISTORY OF APSA Inc. MEMBER PROTECTION POLICY

| Version | Date reviewed | Date endorsed | Content reviewed/purpose |
|---------|---------------------------|---------------------------|---|
| One | | | <ul style="list-style-type: none">• Required constitution changes to be put in place |
| Two | October 2010 | 29 th Nov 2010 | <ul style="list-style-type: none">• Update and bring in line with the constitution |
| Three | 26 th May 2011 | 26 th May 2011 | <ul style="list-style-type: none">• Addition of attachments B4, B5, B6 for the purpose of ensuring our members have a clear understanding of the types of solicitation. |
| Four | | | <ul style="list-style-type: none">• |

PREFACE

- The Australian Professional Skaters' Association Inc. (herein known as APSA Inc.) is committed to providing an environment that is safe for children, that is free from harassment, discrimination and abuse for everyone, and promotes respectful and positive behaviour and values.
- This policy provides a code of behaviour forming the basis of appropriate and ethical conduct which everyone must abide by.
- The President of APSA Inc. is committed to ensuring that everyone associated with and in this organization complies with this policy

Judy Bosler

President

APSA Inc.

Date: 26th May 2011

PART A: NATIONAL MEMBER PROTECTION POLICY

1. Introduction

Striving for excellence in coaching.

2. Purpose of this policy

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

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

This policy has been endorsed by APSA Inc. and has been incorporated into our constitution. The policy starts on 1st October 2010 and will operate until replaced. Copies of the current policy and its attachments can be obtained from the APSA Inc. website at www.apsa.net.au.

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

3. Who this Policy Applies To

This national policy applies to the following people operating at a club, state, national or international level, whether they are in a paid or voluntary capacity:

- 3.1 Persons appointed or elected to National boards, committees and sub-committees;
- 3.2 Members of the APSA Inc. Executive;
- 3.3 Support personnel appointed or elected to National or International teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
- 3.4 National and international coaches and assistant coaches;
- 3.5 National and international athletes;
- 3.6 National technical specialist, and other officials involved in the regulation of the sport;
- 3.7 Members, including life members of the APSA Inc.
- 3.8 Athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by APSA Inc.
- 3.9 Any other person including spectators, parents/guardians and sponsors, who or which agrees in writing (whether on a ticket, entry form or otherwise) to be bound by this policy];

This policy also applies to the following associations:

- 3.12 Member associations;
- 3.13 Affiliated clubs and associated organisations.

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

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

4. Responsibilities of the Organisation

The National Body and member associations must:

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

5. Individual Responsibilities

Individuals bound by this policy are responsible for:

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

6. Position Statements

6.1 Child Protection

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

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

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

A person will not be victimised for reporting possible child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in attachment D5.

6.2 Taking Images of Children

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

We require our members, member associations to do likewise.

6.3 Anti-Discrimination and Harassment

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

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

6.4 Sexual Relationships (version one – possible disciplinary action can be taken

APSA Inc. 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, APSA Inc. 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 APSA Inc. MPIO or complaints officer or other designated person if they feel harassed. Our complaints procedure is outlined in Attachment [D1] of this policy.

6.5 Pregnancy

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

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

APSA Inc. 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.

7. Complaints Procedures

7.1 Complaints

APSA Inc. aims to provide a simple procedure for complaints based on the principles of procedural fairness (natural justice). Any person (a complainant) may report a complaint about a person/s or organisation bound by this policy (respondent). Such complaints should be reported to (the MPIO, Complaints Reconciliation Officer, Child Protection Officer or President).

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

- A rink training session then the complainant should in the first instance try to sort out the problem with the person or people involved (respondent) if you feel able to do so.
- If this is not possible then the complaint should be reported to the rink representative and rink management. The rink representative MUST advise the state member's MPIO, Complaints Reconciliation Officer, Child Protection Officer or President and provide the state member with a written report for their records.
- Occurs at a club or state level competition, seminar, training camp etc, then the complaint should be reported to and handled by the relevant state association in the first instance; or
- Occurs at a National level competition, seminar, training camp etc, or involves people operating at the National or International level, then the complaint should be reported to and handled by APSA Inc.

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

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

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

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

7.2 Vexatious Complaints & Victimisation

APSA Inc. aims for our complaints procedure to have integrity and be free of unfair repercussions or victimisation. If at any point in the complaints process the MPIO, Complaints Reconciliation Officer, or President of APSA Inc considers that a complainant has **knowingly** made an untrue

complaint or the complaint is vexatious or malicious, the matter may be referred to the Judiciary Committee for appropriate action which may include disciplinary action against the complainant.

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

7.3 Mediation

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

Mediation may occur before or after the investigation of a complaint. If a complainant wishes to resolve the complaint with the help of a mediator, the MPIO, Complaints Reconciliation Officer or President of APSA Inc. will, in consultation with the complainant, arrange for a neutral third party mediator where possible. Lawyers are not able to negotiate on behalf of the complainant and/or the respondent. More information on the mediation process is outlined in attachment [D2].

7.4 Tribunals

A Tribunal may be convened to hear a formal complaint:

- referred to it by the MPIO, Complaints Reconciliation Officer or President of APSA Inc. because of the serious nature of the complaint, or the policy directs it to be and/or
- Referred to it or escalated by a state association because of the serious nature of the complaint, or unable to be resolved at the state level, or the state policy directs it to be; and/or
- for an alleged breach of this policy.

Our Tribunal procedure is outlined in attachment (D6).

A respondent may lodge an appeal only to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in attachment (D6).

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

8. What is a Breach of this Policy

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

- 8.1 Breaching the Codes of Behaviour (attachment B1 to this policy);
- 8.2 Bringing the sport and/or APSA Inc. into disrepute, or acting in a manner likely to bring the sport and/or APSA Inc. into disrepute ;
- 8.3 Failing to follow APSA Inc. policies (including this policy) and procedures for the protection, safety and welfare of children;
- 8.4 Discriminating against, harassing or bullying (including cyber bullying) any person;
- 8.5 Victimising another person for reporting a complaint;
- 8.6 Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- 8.7 Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 8.8 Disclosing to any unauthorised person or organisation any APSA Inc. information that is of a private, confidential or privileged nature;
- 8.9 Making a complaint they **knew** to be untrue, vexatious, malicious or improper;
- 8.10 Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- 8.11 Failing to comply with a direction given to the individual or organisation during the discipline process.

9. Disciplinary Measures

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

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

9.1 Individual

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

- 9.1.1 A direction that the individual make a verbal and/or written apology;
- 9.1.2 A written warning;
- 9.1.3 A direction that the individual attend counselling to address their behaviour;
- 9.1.4 A withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by APSA Inc.;
- 9.1.5 A demotion or transfer of the individual to another 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 APSA Inc. terminate the individual's membership, appointment or engagement;
- 9.1.9 In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- 9.1.10 A fine;
- 9.1.11 Any other form of discipline that the MPIO, Complaints Reconciliation Officer, Judiciary Committee or President of APSA Inc. considers appropriate.

9.2 Organisation

If a finding is made that a member association of APSA Inc. has breached its own or this national Member Protection Policy one or more of the following forms of discipline may be imposed by the President of APSA Inc. in conjunction with a Judiciary committee of APSA Inc.

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

9.3 Factors to consider

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

- Nature and seriousness of the breach;
- If the person knew or should have known that the behaviour was a breach;
- Level of contrition;
- The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;

- If there have been relevant prior warnings or disciplinary action;
- Ability to enforce discipline if the person is a parent or spectator (even if they are bound by the policy); and/or
- Any other mitigating circumstances.

10. Dictionary

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

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

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

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

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

Complaint means a complaint made under clause 7.

Complainant means a person making a complaint.

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

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

- Age;
- Disability;
- Family/carer responsibilities;
- Gender identity/transgender status;
- Homosexuality and sexual orientation;
- Irrelevant medical record;
- Irrelevant criminal record;
- 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

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

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

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

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

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

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

- holding a competitive sporting activity for females only who are under 12 years of age or of any age where strength, stamina or physique is relevant or
- not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity.

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

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

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

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

Member means any one who has paid membership to APSA Inc. or any member association.

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

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

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

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

This policy means this Member Protection Policy.

Respondent means the person who is being complained about.

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

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

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

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

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

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

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

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

ATTACHMENT B1: CODES OF BEHAVIOUR

1. Respect the rights, dignity and worth of every human being.

Within the context of the activity, treat everyone equally regardless of sex, disability, ethnic origin or religion.

2. Treat each skater as an individual.

Respect the talent, developmental stage and goals of each skater. Help each one reach their full potential.

3. Ensure the time spent with you is a positive experience.

All skaters are deserving of equal attention and opportunities.

4. Be fair, considerate and honest with your skaters

5. Be professional and accept responsibility for your actions.

Display high standards in your language, manner, punctuality, preparation and presentation. Display control, dignity and professionalism to all involved in the sport - other coaches, officials, judges, administrators, parents, the media and spectators.

6. Make a commitment to provide a quality service to your skater.

Maintain or improve your current NCAS accreditation, seek improvement through performance appraisal and ongoing coach education. Provide a training program that is planned and sequential. Maintain appropriate records.

7. Operate within the rules and spirit of ice skating.

The guidelines of the national and international bodies governing the sport should be followed. Keep up to date with rules, relevant policies eg anti doping policy, selection criteria etc. Coaches should educate their skaters on drugs in sport issues in consultation with the Australian Drug agency.

8. Any Physical contact with skaters should be -

appropriate to the situation - necessary for the skater's development.

9. Refrain from any kind of personal abuse towards your skaters***

This includes verbal, physical and emotional abuse.

Be alert to any forms of abuse directed towards your skaters from other sources while they are in your care.

10. Refrain from any form of harassment towards your skaters***

This includes sexual and racial harassment, racial vilification and harassment on the grounds of disability. Under no circumstances initiate any form of sexual/emotional relationship with your skater. Actively discourage any attempt by them to form a relationship with you by thoroughly explaining the ethical **issues** for the refusal.

11. Provide a safe environment for training and competition.

Ensure facilities and ice surface meet safety standards and that the training environment, equipment and rules are appropriate for the age and ability of the skaters.

12. Show concern and caution toward sick and injured skaters.

Encourage skaters to seek medical advice when required and provide a modified training program where appropriate.

Allow further participation in training and competition only when appropriate.

Maintain the same interest and support toward sick and injured skaters.

13. Be a positive role model for your sport and your skaters.

14. Abide by the guidelines governing coach's conduct as set down by the A.S.C.



ATTACHMENT B2: CODES OF ETHICS

Australian Professional Skaters' Association Inc. Code of Ethics

- 1. Members shall exercise the greatest care and discretion in their relationship with other professionals and their respective students.**
- 2. Members shall respect the rights of skaters to seek instruction or take lessons, from the professional of their choice.**
- 3. Members shall not accept students for instruction unless, or until all lesson fees properly payable to another member or members have been duly paid. It is the duty of a member to check with any previous coach to ensure that all fees have been paid prior to accepting a student.**
- 4. No member shall solicit students of another member, directly or indirectly or through third parties for lessons or instruction.**
- 5. Members shall dress neatly in a clean and appropriate manner as becoming a member of their profession.**



ATTACHMENT B3: AVOIDING CONFLICT OF INTEREST

Australian Professional Skaters' Association Inc. Avoiding Conflict of Interest

The purpose of this document is:

- (i) to demonstrate the high ethical standards that govern the Australian Professional Skaters' Association Inc. (herein known APSA Inc) and all APSA Inc activities..
- (ii) to inspire public and internal confidence in the fairness, honesty and integrity of APSA Inc.

My personal Ethical Commitment to APSA Inc

All who involve themselves with the APSA Inc. in any capacity shall be deemed to agree that avoiding conflict of interest is a commitment to be observed and honored as if expressed in a written document, solemnly signed by the involved person, and containing the following provisions:

- 1) I agree to avoid conflict of interests when deciding whether to accept any other non-APSA Inc position relating to the activities of the APSA Inc. and state member associations. The "other position" could be, but not limited to one with a Club, State Association or the National Sporting Organisation, and the position could be permanent, temporary, remunerated or voluntary.
- 2) If such "other positions" could reasonably appear to other members of APSA Inc. state member associations, to the general public or to the skaters to be an improper conflict, the member concerned should decline to accept the offered position.
- 3) I agree to abstain from making or influencing decisions involving personal or family gain or public acclaim.
- 4) I will act with absolute independence which includes favoritism for or prejudice against, any member, coach, skater or his/her family members.
- 5) I agree to strict observance of the confidentiality of non public APSA Inc and/or state member association's information or when disclosure is prohibited by law or the APSA Inc and/or member Association's Constitution or Regulations.
- 6) I agree to prompt disclosure of my personal interest in any situation that could reasonably be considered to involve a conflict of interest.
- 7) I agree to avoid evaluating, voting upon, or in any other way influencing, directly or indirectly, any decision respecting possible conflict of interest (direct or indirect) on my part. I agree to withdraw from the room during any discussion, evaluation or vote respecting such matter. This includes, but is not limited to, the award of contracts, the purchase of goods and services, engaging consultants, accepting new memberships, and the allocation of APSA Inc. funds and/or resources.



ATTACHMENT B4

SYNCHRONIZED & THEATRE ON ICE ETHICS GUIDELINES

This document has been created as a supplement to the Australian Professional Skaters' Association Code of Ethics. As it is a supplement, it is not intended to replace the Code of Ethics already in place but rather provide guidelines for coaches professional behavior. Below are listed just a few of the many scenarios that occur.

It is adapted for APSA with permission from the Professional Skaters Association America.

Recruitment vs. Solicitation

When you advertise for skaters to join your team, you are *RECRUITING*. Targeting a skater already skating on a team and suggesting they change to another team is *SOLICITATION*.

Examples:

- **Recruiting** If a Synchronized Skating coach is asked for information from a parent/skater, the coach may give them information including the team contact information. The coach may give out this information even if the skater is currently on a team or taking private lessons, only if the coach has NOT approached the skater/parent.
- **Solicitation** A coach, team manager, team personnel or team parent should not approach (target) a skater who is a member of another team or taking private lessons.
- **Solicitation** Sending recruiting material directly to a skater/parent on another team is 'targeting' a skater.
- **Recruitment** A coach may directly approach a skater as long as the skater is not currently on a team or taking private lessons (such as a retired skater). This must be checked out before you talk with the skater/parent!
- **Recruitment** A coach or team manager may contact a parent/skater if the coach of the other team invites such action.
- **Recruitment** Leaving recruiting brochures at an ice rink is OK but MUST be in compliance with the Board of Directors of the club and/or rink management policies.

Obligations of Coaches:

Here are a few scenarios that arise.

- When a skater from another club is accepted to a team, the new coach is responsible to make sure that the new organization receives a Change of Team Form (found on ISA Website (**SSF-YY10**) and procedure (**SSP-YY09**), a skater must pay any money that's outstanding prior to joining another team.
- The new coach must not allow the skater to start training on the new team before a Change of Team Form is received stating the skater is in good standing with their previous team. (**Please note: this is a professional courtesy**)
- At the beginning of a season sometimes skaters try a few teams to see what team they would like to be associated with, if a skater/parent decides not to join your team you or team management MUST NOT telephone/harass that skater in anyway to join your team.

Miscellaneous

- When you take on a new skater into your team, never criticize the former coach's technique or coaching methods.
- Don't resent the new coach if your skater decides to join another team.
- For documents which address professional responsibilities, go into the Australian Professional Skaters' Association website (www.apsa.net.au) Code of Ethics.

- Synchronized Skating coaches need to create a good relationship with singles, pairs and dance coaches. These coaches should not feel ‘threatened’ by the sport of Synchronized Skating.

Synchronized Skating coaches should emphasize and encourage their team members to continue training in singles/pairs/dance.

Team Managers/team personnel have often not been involved in our sport for very long, remember they need to be aware of acceptable behavior within our sport. Ignorance of these Guidelines is no excuse, it’s your job to make sure they are aware of and abide by these Guidelines.



Attachment B5 Pairs and Ice Dance Ethics Guidelines

This document has been created as a supplement to the Australian Professional Skaters' Association Code of Ethics. As it is a supplement, it is not intended to replace the Code of Ethics already in place but rather provide guidelines for coaches professional behavior. Below are listed just a few of the many scenarios that occur. It is adapted for APSA with permission from the Professional Skaters Association America.

Recruitment vs. Solicitation

When you advertise yourself as a Pairs / Dance Coach, you are *RECRUITING*.

Targeting a skater already established with a partner and suggesting they change to you, is *SOLICITATION*.

Telling a skater already involved in a partnership and with a coach they will have better results with you is Solicitation

Some Examples:

- **Recruiting** – If a Pair / Dance coach is approached by a potential client, the coach may speak directly to the potential client about when they can work with the team and what their fees are, even if this team is currently being coached by someone else. If you agree to coach the team, you should contact the present coach before you start working with the team, in order to make sure he / she is aware of the coaching change, and to ensure their account is finalized.
- **Solicitation** – A coach approaches a skater (or skater's parent) who is already taking lessons and has a primary coach.
- **Recruiting** – A coach can approach other coaches to ask if they have students who would be interested in skating with one of their students.
- **Solicitation** – A Pairs / Dance team travels to an established training center for a seminar or camp. After the the seminar/ camp, the Program Director / Coach / Presenter suggests they stay for a few days of training to work with them or someone else.
- **Solicitation** – Contacting by any means (directly or indirectly), or sending recruiting material (such as your resume) directly to a skater or their parent is 'targeting' the skater.

Obligation of Coaches

First and foremost, the welfare of the skaters involved is of paramount importance. A coach should never advance their own goals at the expense of either skater

Some Examples:

- A skater has found a partner. The question is, do they relocate or does the found partner relocate? The answer would seem to be that the coaches and parents decide what is best for the team.
- Coach A approaches Coach B about building a team All parties involved sit down for a discussion. This is the best case scenario.
- Coach A is training a team. Coach A knows that one of the team members is unhappy and looking for a new partner. Coach A should first, speak to the parents of the skater looking for a new partner and then call a meeting with the team and parents to discuss.
- It is the responsibility of every coach to contact the previous coach before beginning lessons with a skater / team that is changing coaches.
- When you take on a new pair / dance team do not criticize the technique or training methods of the former coaches.
- Try not to resent the new coach of your team chooses to move on and work with another coach.
- All Pair and Dance coaches need to create a good relationship with coaches of all disciplines by encouraging their athletes to take lessons in those disciplines in which they are interested.



Attachment B6 Singles & Co-Coaching Ethics Guidelines

This document has been created as a supplement to the Australian Professional Skaters' Association Code of Ethics. As it is a supplement, it is not intended to replace the Code of Ethics already in place but rather provide guidelines for coach's professional behavior. Below are listed just a few of the many scenarios that occur. It is adapted for APSA with permission from the Professional Skaters Association America.

Every skater has the right to believe his / her coach is the best.

Taking on New Skating Students

- No coach will ever solicit students of another coach directly or indirectly or through a third party for lessons or instruction.
- When approached to take a lesson / new student, you must ask if the skater has ever had lessons with another coach.
- If the skater has had lessons in the past or is having lessons currently with another coach, you need to advise the skater to tell their coach of their intention to change coaches and you need to contact the existing coach within 24 hours to advise them that you have been contacted by this skater and ask if all fees have been paid. This can be done verbally or by email. You should not commence lessons with this skater until they have been cleared by the existing coach.
- If lesson fees are outstanding, do not accept this skater until the debt has been cleared.

Co- Coaching Skating Students

The key to the successful co-coaching of skaters is open communication with all coaches on the team, respect for the head coach of the team and strict adherence to the set plan for the skater.

- All coaches should encourage and support co-coaching as it often benefits the skaters' development.
- When asked to co-coach a skater, ask the skater / parent if the head coach is aware of them approaching you. If not ask the skater / parent to talk to the head coach first to notify them of their intent to engage you as a co-coach.
- Do not engage in a co-coaching arrangement, until a discussion has been had with the head coach as to the student being up to date with their fees and your role in the team.
- Once you have agreed to the terms of your role in the co-coaching arrangement, adhere strictly to your specific coaching duties as determined by the head coach. Never work on anything that a skater / parent asks until this has been cleared by the head coach.

What are Solicitation, Promotion and Tampering?

Promotion is done publicly.

It is appropriate for all coaches to promote their background and credentials to the entire world. This information can be posted in a public space at the rink, advertised in a flyer or promoted in a newspaper or website – as long as the opportunity is available to all and the audience is general. Many coaches say they promote themselves through their work. Their student's accomplishments are their 'advertisement'. That, unequivocally, is the best way to promote oneself.

Solicitation is done behind the scenes.

Solicitation can be done by a coach, a parent on behalf of a coach or by rink management favoring one coach over another. It is usually conveyed one to one. It is considered solicitation

for a professional to contact a skating student, not their own, when a significant motive for doing so is the personal gain of the skating professional. Solicitation includes contact directly, indirectly, or through a third party, in person, by telephone, email or by another means directed to a specific recipient.

Examples:

- 'I could take your child further (to the Olympics etc.)
- 'I am much more qualified than ____ is'
- 'Join our program. That other program doesn't offer what we can provide'
- 'I'll give your child some free lessons / ice time / equipment etc'
- Parents talking in the stands, convincing other parents to switch their skater to the 'better' coach.
- Skaters in the dressing rooms, persuading another skater to become a part of the 'good group of skaters'.
- Coach's spouse talking inside or outside of the rink. 'My husband / wife could do so much more for your child

Tampering is subtle.

Tampering involves a coach making comments or actions to another skater or their parent to either: put doubt into their minds about their coach, or to build a relationship with the family that may lead to a coaching change in the future.

Comments to the skater such as offering a suggestion that might improve their skating or mentioning to a skater's parent a problem with the skater's technique, or program elements etc. This is a gray area. The sentiment is often sincere, but the perception is suspect.

This is not by any means meant to deter coaches from being friendly and encouraging to the other skaters and families in their rink.

Stopping Solicitations

Stopping solicitations from occurring is critical to have a comfortable and friendly environment in your rink.

If you witness any form of solicitation you should:

- Notify your rink manager, club president or APSA rink representative.
- Document what you have seen and /or heard. Include dates, times, method of solicitation, names of parties involved and what occurred.
- Reports can be anonymous.

PART C: SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

Background

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

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

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

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

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

The following attachments provide:

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



Attachment C1: SCREENING REQUIREMENTS

for states/territories without Working With Children Checks such as ACT and Tasmania

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

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



Attachment C2: MEMBER PROTECTION DECLARATION

APSA Inc. has a duty of care to all those associated with the sport at the national and international level and to the individuals and organisations to whom our National Member Protection Policy applies. As a requirement of our National Member Protection Policy, APSA Inc. 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 APSA Inc. may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the President of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in clauses [1 to 6] above has changed.

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

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

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

Name:.....

Signature:.....

Date:



Attachment C3: WORKING WITH CHILDREN CHILD PROTECTION REQUIREMENTS

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

1. QUEENSLAND

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

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

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

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

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

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

2. NEW SOUTH WALES

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

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

Sporting organisations are responsible for managing the WWCC process. Individuals cannot apply for a WWCC directly. Sporting organisations should register with the **NSW Commission for Children and Young People** providing a contact who will receive the information on the background checks.

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

For more information, including the required forms:

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

3. **WESTERN AUSTRALIA**

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

Applicants will be issued with either:

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

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

For more information:

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

4. **VICTORIA**

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

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

For more information:

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

5. **SOUTH AUSTRALIA**

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

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

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

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

For more information:

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

6. NORTHERN TERRITORY

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

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

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

PART D: COMPLAINT HANDLING PROCEDURES

Attachment D1: COMPLAINTS PROCEDURE

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

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

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

INFORMAL APPROACHES

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

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

Step 2: Contact a Member Protection Information Officer

Talk with one of our Member Protection Officers (MPIO), Complaints Reconciliation Officer or the President if:

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

A list of our Member Protection Officers, Complaints Reconciliation Officer can be found on the APSA Inc. website: www.apsa.net.au

They will:

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

Step 3: Outcomes from initial contact

After talking with the MPIO, Complaints Reconciliation 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 a MPIO); or
- to seek a mediated resolution with the help of a third person (such as a mediator); or
- to seek a formal approach.

FORMAL APPROACHES

Step 4: Making a Formal complaint

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

- make a formal complaint in writing to MPIO or Complaints Reconciliation Officer, Child Protection Officer or the President of APSA Inc. using the Complaints Application form Attachment D2.

- 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 MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. will decide whether:

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

In making the decision(s) outlined above, the MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. 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 MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

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

Step 5: Investigation of the complaint

- A person appointed under Step 3 will conduct an investigation and provide a written report to the President or Judiciary who will determine what further action to take;
- If the complaint is referred to mediation, it will be conducted in accordance with [Attachment D3] or as otherwise agreed by you and the respondent and the mediation provider;
- If the complaint is referred to a hearings tribunal, the hearing will be conducted in accordance with [Attachment D6]
- If the complaint is referred to the police or other appropriate authority, APSA Inc. will use its best endeavours to provide all reasonable assistance required by the police or other authority.

(Any costs relating to the complaint process set out in this Policy (e.g Investigating and/or mediation and/or hearings tribunal) are to be met by the complainant and respondent unless otherwise stated in the relevant Attachment.)

Step 6: Reconsideration of initial outcome/investigation or appeal

If, under the formal complaint process, mediation is unsuccessful, you may request that the MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. reconsider the complaint in accordance with **Step 3**.

You or the respondent(s) may be entitled to appeal. The grounds and process for appeals under this Policy are set out in (Attachment D6).

Step 7: Documenting the resolution

The MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. 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. an MPIO) as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

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



ATTACHMENT D2. Complaints Application Form.

The APSA Complaints Application Procedure is an important function of the Association. Prior to filing a complaint refer to the procedures as set out in the APSA Member Protection Policy located at www.apsa.net.au . To file a complaint you must send to the APSA MPIO, Complaints Reconciliation Officer, Child Protection Officer or the President of APSA the following:

-
- An original complaint and two additional copies stating the factual basis for the complaint along with documentation and evidence you feel is necessary to support your complaint.
 - The signature of the party filing the complaint must be under oath , notarized and under penalty of perjury (see 7.2) . This includes the application form, complaint and each supporting document.
 - Please refer to the specific number of the Code of Behaviour / Code of Ethics that you are claiming was violated.
 - Failure to state the specific violation may result in a dismissal of the complaint.
-

There is a \$70 filing fee. A copy of your complaint is then sent to the person against whom the complaint has been filed. That person must respond in a timely manner and a copy of their response is then forwarded to you.

After all the filings have been completed, the case will be investigated and a finding made. A notification if the action will be sent to the party filing the complaint and to the party against whom the complaint was made.

The executive of APSA is authorized to change, alter or modify the above rules as occasion may require and to establish a detailed code of behavior to supplement the above basic rules.

To file a complaint, fill out the application below in accordance with the above requirements and send an original complaint and your documentation and an additional two copies along with a \$70 filing fee made out to Australian Professional Skaters' Association Inc to : The Complaints Reconciliation Officer
c/- The Secretary APSA 2 Queen Street Croydon NSW 2132..

Name: _____ Email: _____

Address: _____

Phone: _____ Mobile: _____

Best time to reach you: _____

Filed Against: _____

Violation of Codes of Behaviour / Code of Ethics number: _____

Date: _____ Signature: _____

Attachment D3: MEDIATION

Mediation is a process during which people in conflict are helped to communicate with each other to identify the areas of dispute and to make decisions about resolving it. This attachment outlines the general procedure of mediation that will be followed by APSA Inc.

1. If mediation is chosen, the MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. will, under the direction of the APSA Inc. and in consultation with the complainant and the respondent(s), arrange for a mediator.
2. The mediator's role is to assist the complainant and respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the complainant and respondent(s), will choose the procedures to be followed during the mediation. At a minimum, an agenda of issues for discussion will be prepared by the mediator.
3. The mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached which will be signed by them as their agreement.
5. If the complaint is not resolved by mediation, the complainant may:
 - a. Write to the MPIO, Complaints Reconciliation Officer, Child Protection Officer, or President of APSA Inc. to request that the MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. reconsider the complaint in accordance with **Step 3**; or
 - b. Approach an external agency such as an anti-discrimination commission.
6. Mediation will **not** be recommended if:
 - a. The respondent has a completely different version of the events and will not deviate from these;
 - b. The complainant or respondent are unwilling to attempt mediation;
 - c. Due to the nature of the complaint, the relationship between the complainant and the respondent(s) or any other relevant factors, the complaint is not suitable for mediation; or
 - d. The matter involves proven serious allegations, regardless of the wishes of the Complainant.

Attachment D4: INVESTIGATION PROCESS

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

1. We will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:
 - 1.1 Interview the complainant and record the interview in writing.
 - 1.2 Convey full details of the complaint to the respondent (s) so that they can respond.
 - 1.3 Interview the respondent to allow them to answer the complaint, and record the interview in writing.
 - 1.4 Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
 - 1.5 Make a finding as to whether the complaint is:
 - substantiated (there is sufficient evidence to support the complaint);
 - inconclusive (there is insufficient evidence either way);
 - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - mischievous, vexatious or knowingly untrue.
 - 1.6 Provide a report to the President of APSA Inc. documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
2. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
3. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).
4. The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Information on our appeals process is in [Attachment D6].

Attachment D5: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

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

Step 1 – Initial Receipt of an Allegation

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

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

Step 2 – Report allegations

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

Step 3 – Protect the child and manage the situation

- The Child Protection Officer in conjunction with the President of APSA Inc. will assess the risks and take interim action to ensure the child's/children's safety. Action APSA Inc. may implement includes redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined.
- The Child Protection Officer in conjunction with the President of APSA Inc. will consider the kind of support that the child/ren and parents may need (e.g. counselling, help lines, support groups).
- The Child Protection Officer in conjunction with the President of APSA Inc. will address the support needs of the alleged offender.
- The Child Protection Officer in conjunction with the President of APSA Inc. will also put in place measures to protect the child and the person against whom the complaint is made from victimisation and gossip. If the person is stood down, it should be made clear to any persons aware of the incident that this does not mean the respondent is guilty and a proper investigation will be undertaken.

Step 4 – Internal action

- Where there is an allegation made against a person to whom this policy applies, there may be three types of investigations:
 - Criminal (conducted by police)
 - Child protection (conducted by child protection authority)

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

Attachment D6: HEARINGS & APPEALS TRIBUNAL PROCEDURE

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

Preparation for Tribunal Hearing

1. A Tribunal Panel will be constituted following the rules outlined in the APSA Inc. Constitution, to hear a complaint that has been referred to it by the state members. The number of Tribunal members required to be present throughout the hearing will be 5 members of the APSA Inc committee one of which must be the Child Protection Officer, MPIO, Complaints Reconciliation Officer and / or President of APSA Inc.
2. The Tribunal members will be provided with a copy of all the relevant correspondence, reports or information received and sent by MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. relating to the complaint/allegations.
3. The Tribunal will be scheduled as soon as practicable, but must allow adequate time for the person being complained about (respondent(s)) to prepare their case for the hearing.
4. The Tribunal will not include any person who has any actual or perceived conflict of interest, or bias regarding the matter.
5. The Secretary will inform the respondent(s) in writing that a tribunal hearing will take place. The notice will outline:
 - That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
 - Details of the complaint, and details of all allegations and the clause of any policy or rule allegedly breached;
 - The date, time and venue of the tribunal hearing;
 - That they can make either verbal or written submissions to the Tribunal;
 - That they may arrange for witnesses to attend the Tribunal in support of their position (statutory declarations of witnesses not available or from character witnesses may also be provided to the Tribunal);
 - An outline of any possible penalties that may be imposed if the complaint is found to be true; and
 - That legal representation will not be allowed. [If the respondent they should is a minor, have a parent or guardian present.]

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

The respondent(s) will be allowed to participate in all APSA Inc. activities and events, pending the decision of the Tribunal, including any available appeal process, unless the MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. believes it is necessary to exclude the respondent(s) from all or some of APSA Inc. activities and events, after considering the nature of the complaint.

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

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

7. If the complainant believes the details of the complaint are incorrect or insufficient they should inform the MPIO, Complaints Reconciliation Officer, Child Protection Officer or President of APSA Inc. as soon as possible so that the respondent and the Tribunal Panel members can be properly informed of the complaint.
8. It is preferable that the Tribunal include at least one person with knowledge or experience of the relevant laws/rules (e.g. Discrimination).

Tribunal Hearing Procedure

9. The following people will be allowed to attend the Tribunal Hearing:
 - The Tribunal members;
 - The respondent(s);
 - The complainant;
 - Any witnesses called by the respondent;
 - Any witnesses called by the complainant;
 - Any parent / guardian or support person required to support the respondent or the complainant.
10. If the respondent(s) is not present at the set hearing time and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been met.
11. If the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent(s) has been presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal will be rescheduled to a later date.
12. The Tribunal Chairperson will inform the Secretary of the need to reschedule, and the Secretary will organise for the Tribunal to be reconvened.
13. The Tribunal Chairperson will read out the complaint, ask the respondent(s) if they understand the complaint and if they agree or disagree with the complaint.
14. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures (penalty).
15. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Reference may be made to brief notes.
 - The complainant may call witnesses.
 - The respondent(s) may question the complainant and witnesses.
16. The respondent(s) will then be asked to respond to the complaint.
 - Reference may be made to brief notes.
 - The respondent may call witnesses.
 - The complainant may ask questions of the respondent and witnesses.
17. Both the complainant and respondent may be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the hearing until required.
18. The Tribunal may:
 - consider any evidence, and in any form, that it deems relevant.
 - question any person giving evidence.
 - limit the number of witnesses presented to those who provide any new evidence.
 - Require the attendance of any witness it deems relevant;
 - Act in an inquisitorial manner in order to establish the truth of the issue/case before it.
19. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
20. If the Tribunal considers that at any time during the Tribunal Hearing that there is any unreasonable or intimidatory behaviour from anyone the Chairperson may stop further involvement of the person in the hearing.
21. After all of the evidence has been presented the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has been substantiated on the balance of probabilities (i.e. more probable than not). As the seriousness of the allegation increases, so too must the level of satisfaction of the Tribunal that the complaint has been substantiated. The respondent will be

given an opportunity to address the Tribunal on disciplinary measures which might be imposed. Disciplinary measures imposed must be reasonable in the circumstances.

22. All Tribunal decisions will be by majority vote.
23. The Tribunal Chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed, or may advise those present that the decision is reserved and will be handed down in written form.
24. Within 48 hours, the Tribunal Chairperson will:
 - Forward to the MPIO, Complaints Reconciliation Officer, Child Protection Officer, or President of APSA Inc. a copy of the Tribunal decision including any disciplinary measures imposed.
 - Forward a letter to the respondent(s) reconfirming the Tribunal decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal. Where the matter is of unusual complexity or importance, the Tribunal Chairperson may inform the parties in writing within 48 hours that the decision will be delayed for a further 48 hours.
25. The Tribunal does not need to provide written reasons for its decision.

Appeals Procedure

26. A complainant or a respondent(s) who is not satisfied with the decision of a Complaints Manager, the outcome of mediation or a Tribunal decision can lodge one appeal to APSA Inc. on one or more of the following bases:
 - 26.1 That a denial of natural justice has occurred; or
 - 26.2 That the disciplinary measure(s) imposed is unjust and/or unreasonable.
 - 26.3 That the decision was not supported by the information/evidence provided to the Complaints Manager/Mediator/Tribunal;
27. A person wanting to appeal in accordance with clause 25 must lodge a letter setting out the basis for their appeal with the Secretary within 14 days of the relevant decision. [An appeal fee of \$70 shall be included with the letter of intention to appeal.
28. If the letter of appeal is not received by the Secretary within the time period the right of appeal lapses. If the letter of appeal is received but the appeal fee is not received by the relevant time, the appeal lapses.
29. The letter of appeal and copy of tribunal decision report will be forwarded to the APSA Inc. committee to review and decide whether there are sufficient grounds for the appeal to proceed. The APSA Inc. may invite any witnesses to the meeting it believes are required to make an informed decision.
30. If the appellant has not shown sufficient grounds for appeal in accordance with clause 25, then the appeal will be rejected. The appellant will be notified with reasons. The appeal fee will be forfeited.
31. If the appeal is accepted an Appeal Tribunal with a new panel will be convened to rehear the complaint.
32. The Tribunal Procedure shall be followed for the appeal.
33. The decision of an Appeal Tribunal will be final.

| | |
|-------------------------------|--|
| What they are going to do now | |
|-------------------------------|--|

This record and any notes must be kept in a confidential place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to the relevant person (MPIO, Complaints Reconciliation Officer, Child Protection Officer).

Attachment E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT

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

| | |
|--|--|
| Methods (if any) of attempted informal resolution | |
| Formal resolution procedures followed (outline) | |
| If investigated: Finding - | |
| If went to hearing tribunal: Decision - Action recommended - | |
| If mediated: Date of mediation - Were both parties present - Terms of Agreement - Any other action taken - | |
| If went to appeals tribunal: Decision Action recommended | |
| Resolution | <input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve |
| Completed by | Name: Position: Signature: / / |
| Signed by: | Complainant: Respondent: |

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

Attachment E3: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Before completing, ensure the procedures outlined in attachment C4 have been followed and advice has been sought from the relevant government agency and/or police.

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

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

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