



**SPORTING SHOOTERS ASSOCIATION OF
AUSTRALIA (WA) Inc**

MEMBER PROTECTION POLICY

July 2018

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PREFACE

The Sporting Shooters Association of Australia (WA)Inc (SSAA (WA) is committed to creating a safe, fair and inclusive sporting environment.

SSAA (WA) seeks to prevent all forms of harassment, discrimination and abuse and to promote positive behaviour and values.

This policy sets out codes of behaviour with which everyone associated with SSAA (WA) is expected to abide.

Inappropriate or unlawful behaviour will not be tolerated by SSAA (WA). Disciplinary action will be taken against individuals if there is a breach of this policy.

Ron Bryant
 President
 July 2018

REVIEW HISTORY

| Version | Date Approved | Review Date | Content reviewed/purpose |
|----------------|----------------------|--------------------|---------------------------------|
| One | 31 July 2018 | July 2019 | Initial Document |
| Two | | | |
| Three | | | |
| Four | | | |
| Five | | | |

PART A: MEMBER PROTECTION POLICY

1. INTRODUCTION

The vision of SSAA (WA) is to be known as the leading State Sporting Shooters Association in Australia. Our mission is to:

- promote the highest ideals of sportsmanship, citizenship and loyalty and to create strength of character, self-discipline, health and well-being in the people that participate in our activities;
- work with our member Clubs/Branches to provide instruction in the various disciplines of shooting; and
- encourage young people to participate in the various disciplines of shooting in a safe and responsible manner.

2. PURPOSE

This Member Protection Policy aims to assist SSAA (WA) uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It sets out our commitment to ensure that every person bound by the policy is treated with respect and dignity and protected from discrimination, harassment and abuse. It also seeks to ensure that everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

This policy describes the practical steps we will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, the policy allows SSAA (WA) to take disciplinary action against any person or organisation bound by this policy if they breach the policy.

This policy has been endorsed by the SSAA (WA) State Executive and takes effect from 30th July 2018 and will operate until replaced. This policy is supported by Member Protection Policies that have been adopted and implemented by our Member Clubs/Branches.

This policy can be obtained from our website at www.ssaawa.org.au

3. WHO IS BOUND BY THIS POLICY

This policy applies to the following people who are involved with the activities of SSAA (WA) at a state, or club/branch level, whether they are in a paid or unpaid/voluntary capacity:

- a) members, including but not limited to Individual Members, Member Clubs/Branches and Disciplines, and Life Members of SSAA (WA) and their guests;
- b) coaches, officials and other personnel participating in events and activities, including training sessions, held or sanctioned by SSAA (WA);
- c) any other person including parents/guardians and spectators accompanying competitors or teams;
- d) SSAA (WA) State Executive members;
- e) persons appointed or elected to state committees, and any club committees and sub committees;

- f) support personnel appointed or elected to state, and club teams and squads (e.g. managers, chaperones and coaches, range officers, scorers, target changers);
- g) parents, guardians, spectators and sponsors to the full extent that is possible;
- h) employees of SSAA (WA); and
- i) organisations or groups utilising shooting ranges

This policy will continue to apply to a person even after he or she has stopped their association or employment with SSAA (WA), if disciplinary action against that person has commenced whilst he or she was associated with or employed by SSAA (WA).

4. ORGANISATIONAL RESPONSIBILITIES

SSAA (WA) and Member Clubs/Branches must:

- a) adopt, implement and comply with this policy;
- b) ensure that this policy is enforceable;
- c) publish, distribute and promote this policy and the consequences of any breaches of the policy;
- d) promote and model appropriate standards of behaviour at all times;
- e) deal with any complaints made under this policy in an appropriate manner;
- f) deal with any breaches of this policy in an appropriate manner;
- g) recognise and enforce any penalty imposed under this policy;
- h) ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- i) use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour; and
- j) monitor and review this policy as required.

5. INDIVIDUAL RESPONSIBILITIES

Individuals bound by this policy must:

- a) make themselves aware of the contents of this policy;
- b) comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy;
- c) consent to the screening requirements as set out in Part C of this policy;
- d) be accountable for their behaviour; and
- e) comply with any decisions and/or disciplinary measures imposed under this policy.

6. POSITION STATEMENTS

6.1 Child Protection

SSAA (WA) is committed to the safety and well-being of all children and young people who participate in our sport or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained.

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

6.1.1 Identify and analyse risk of harm

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

6.1.2 Develop codes of conduct

We will develop and promote codes of conduct that set out the conduct we expect of adults when they deal and interact with children involved in our sport, especially those in our care. These codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour (refer to Part B: Codes of Conduct).

6.1.3 Choose suitable employees and volunteers

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

We will ensure that Working with Children Checks are conducted for all employees and volunteers who work with children where an assessment is required by law. If a criminal history report is obtained as part of their screening process, we will handle this information confidentially and in accordance with the relevant legal requirements (refer to Part C: Employment Screening / Working with Children Check Requirements).

6.1.4 Support, train, supervise and enhance performance

We will ensure that all our employees and volunteers who work with children have ongoing supervision, support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in our sport.

6.1.5: Empower and promote the participation of children

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

6.1.6: Report and respond appropriately to suspected abuse and neglect

We will ensure that all our employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable grounds that a child has been, or is being, abused or neglected (see Appendix 1: Procedure for Handling Allegations of Child Abuse).

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

Further, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child, or is in breach of this policy, he or she may lodge a complaint (refer to Part D: Member Protection Complaints).

6.2 Taking Images of Children

There is a risk that images of children may be used inappropriately or illegally. SSAA (WA) requires that individuals and associations, wherever possible, obtain permission from a child's

parent/guardian before taking an image of a child that is not their own. They should also make sure the parent/guardian understands how the image will be used.

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

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent/guardian.

We will only use images of children that are relevant to our sport and we will ensure that they are suitably clothed in line with what they wear whilst participating in the sport. We will seek permission from the parents/guardians of the children before using the images. We require our Member Clubs/Branches do likewise.

Photographers acting in a professional capacity at SSAA (WA) events must be approved by SSAA (WA).

6.3 Anti-Discrimination and Harassment

SSAA (WA) is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination and harassment.

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

6.3.1 Discrimination

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

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

Discrimination can be either direct or indirect. Direct discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic. Indirect discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

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

6.3.2 Harassment

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

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

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

6.3.3 Prohibition against discrimination and harassment

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the “Definitions” set out in the Dictionary of Terms.

Any person who believes they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy is encouraged to raise their concerns with us and may make a complaint, and in some circumstances, they may also be able to make a complaint to an external organisation (refer Part D: Member Protection Complaints).

6.4 Intimate relationships

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

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

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

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

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

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

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

It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of its appropriateness and accordingly they are encouraged

to seek advice from the Member Protection Information Officer, Complaints Officer or other official to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

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

If a coach, official or athlete believes they are being, or have been, harassed they are encouraged to seek information and support from the Member Protection Information Officer. Our complaints procedure is outlined in Part D: Member Protection Complaints.

6.5 Pregnancy

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

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

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

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

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint (refer to Part D: Member Protection Complaints).

6.6 Gender identity

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

6.6.1 Gender identity discrimination and harassment

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

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

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

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

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

6.6.2 Participation in sport

SSAA (WA) recognises that excluding people from participating in sporting events and activities because of their gender identity may have significant implications for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport on the basis of the gender with which a person identifies.

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

SSAA (WA) will follow any federal guidelines with respect to a transgender person intending to compete at an elite level, and will encourage that person to obtain advice about any criteria which may differ from the position we have taken.

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

6.6.3. Intersex status

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

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

6.7 Responsible Service and Consumption of Alcohol

SSAA (WA) is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that Member Clubs/Branches follow strict guidelines regarding the service and consumption of alcohol.

No person, whether a member of a club/branch or not, shall consume any alcohol or drugs within the immediate vicinity of the firing line or in the course of competing within a match or other sporting activity.

Range Officers shall have the power to prevent any person from taking part in any competition or activity if in his or her opinion, that person is under the influence of alcohol or drugs.

6.8 Smoke-Free Environment

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

In general, our policy is that:

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

6.9 Bullying

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

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group. Whilst generally characterised by repeated behaviours, one-off instances can amount to bullying.

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

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

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. SSAA (WA) will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at an official, range staff, other members, club/branch committee or sporting body should never be communicated on social networking websites. These issues should instead be addressed in a written or verbal statement or complaint to the Member Club/Branch or SSAA (WA).

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint (refer to Part D: Member Protection Complaint).

6.10 Social Networking

SSAA (WA) acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

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

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

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

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

Please refer to our Social Media Policy for more information (available on our website www.ssaawa.org.au).

7. COMPLAINTS PROCEDURES

7.1 Handling complaints

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

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

In the first instance, complaints should be reported to the relevant person as follows:

If a complaint relates to behaviour or an incident that occurred at the:

- state level, or involves people operating at the state level, then the complaint should be reported to and handled by the State Secretary in the first instance
- club/branch level, or involves people operating at the club/branch level, then the complaint should be reported to and handled by the club/branch President in the first instance.

A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the Club/Branch Committee or SSAA WA State Executive should consider whether that is an appropriate way to handle the particular complaint. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

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

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

7.2 Improper complaints and victimisation

SSAA (WA) aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against any person making a complaint.

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

If at any point in the complaint handling process the State Secretary or Club/Branch President considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or inappropriately intended to cause distress to the respondent, the matter may be referred in writing to the State Executive or Club/Branch Committee for review and appropriate action, including possible disciplinary action against the complainant.

7.3 Mediation

SSAA (WA) aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

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

The people involved in a formal complaint - the complainant and the person complained about (respondent) - may also seek the assistance of a neutral third person or a mediator. The Member Protection Information Officer can assist in finding mediators. Lawyers are able to negotiate on behalf of the complainant and/or respondent paid for by the parties involved.

More information on the mediation process is outlined in the SSAA (WA) Constitution.

7.4 Tribunals

In accordance with SSAA (WA) rules a Tribunal may be convened to hear a proceeding:

- referred to it by the State Executive
- referred to it or escalated by a club/branch because of the serious nature of the complaint, because it was unable to be resolved at the club/branch level or because the policy of SSAA (WA) directs it to be

for an alleged breach of this policy.

Our Tribunal procedure is outlined in Attachment [D4].

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

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

8. WHAT IS A BREACH OF THIS POLICY?

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

- a) breaching the codes of conduct (see Part B: Codes of Conduct);
- b) failing to follow SSAA (WA) policies (including this policy) and our procedures for the protection, safety and well-being of children;
- c) bringing the SSAA (WA) member clubs/branches or the sport into disrepute or acting in a manner likely to bring SSAA (WA), clubs/branches or the sport into disrepute;
- d) discriminating against, harassing or bullying (including cyber-bullying) any person;
- e) victimising another person for making or supporting a complaint;
- f) engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- g) verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- h) disclosing to any unauthorised person or organisation any SSAA (WA) information that is of a private, confidential or privileged nature;
- i) making a complaint that they know to be untrue, vexatious, malicious or improper;
- j) failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; and
- k) failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

9. DISCIPLINARY MEASURES

SSAA (WA) may impose disciplinary measures on an individual or organisation for a breach of this policy. Any disciplinary measure imposed will be:

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

9.1 Individual

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

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, Team selection for both State and or National records, achievements bestowed in any competitions, activities or events held or sanctioned by SSAA (WA);

9.1.5 a suspension of the individual's membership or participation or engagement in a role or activity;

9.1.6 termination of the individual's membership, appointment or engagement;

- 9.1.7 a recommendation that a club/branch terminate the individual's membership, appointment or engagement;
- 9.1.8 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;
- 9.1.9 a fine;
- 9.1.10 repayment of any financial assistance or funding received from SSAA (WA);
- 9.1.11 any other form of discipline that the Tribunal considers appropriate.

9.2 Organisation

If a finding is made that a SSAA (WA) Club/Branch has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by the SSAA (WA) State Executive or Tribunal.

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

9.3 Factors to consider

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

- the nature and seriousness of the breach
- if the person knew, or should have known, that the behaviour was a breach of the policy
- the person's level of contrition
- the effect of the proposed disciplinary measures on the person, including any personal, professional or financial consequences
- if there have been any relevant prior warnings or disciplinary action

- the ability to enforce disciplinary measures if the person is a parent or spectator (even if they are bound by the policy)
- any other mitigating circumstances.

10. DICTIONARY OF TERMS

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

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

Association means Sporting Shooters Association of Australia (WA) Inc. (SSAA (WA)).

State Executive means the State Executive of SSAA (WA).

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

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

- physical abuse, which occurs when a child has suffered, or is at risk of suffering, non-accidental physical trauma or injury. This may include, but is not limited to, hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity;
- sexual abuse, which occurs when an adult, other child, or adolescent uses their power or authority to involve a child in a sexual activity or any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography, including child pornography, or inappropriate touching or conversations);
- emotional abuse, which occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism, hostility, teasing/bullying, humiliation, taunting, sarcasm, yelling, name-calling or placing unrealistic expectations on a child; and
- neglect, which occurs when a child's basic necessities of life are not met and their health and development are affected. Basic needs include food, water, shelter, adequate clothing, personal hygiene, timely provision of medical treatment and adequate supervision.

Complaint means a complaint made under clause 7 of this policy

Club/Branch means a club/branch whose members are (or should be) financial members of SSAA (WA).

Complainant means the person making a complaint.

Complaint Officer means the person appointed by the State Secretary to investigate a complaint.

Constitution means the constitution of SSAA (WA).

Discrimination occurs when someone is treated (or is proposed to be treated) unfairly or less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws. This is known as direct discrimination. Indirect

discrimination occurs when there is (or is proposed) an unreasonable requirement, condition or practice that seems to treat everyone equally, but which has or is likely to have the effect of disadvantaging persons with a personal characteristic covered by anti-discrimination laws.

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

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

Examples of discrimination are available on the Play by the Rules website.

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

- holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years);
- excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who are under the age of 12 years); and
- not selecting a competitor if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity.

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

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

Individual Member means a registered, financial member of a Member Club/Branch or an individual who is otherwise recognised by SSAA (WA) WA as an Individual Member in accordance with the SSAA (WA) WA constitution.

Member means a member of SSAA (WA) and includes each category of membership set out in the SSAA (WA) constitution.

Member Club/Branch means a SSAA (WA) Club/Branch which is affiliated with SSAA (WA) as set out in the SSAA (WA) constitution.

Member Protection Information Officer means a person appointed by SSAA (WA) to be the first point of contact for a person reporting an issue or a complaint under, or a breach of, this policy.

Procedural fairness requires that:

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

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

Policy means this Member Protection Policy.

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

Role-specific codes of conduct (or behaviour) means standards of conduct required of people holding certain roles in SSAA (WA)(e.g. competitors, officials, hunters).

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

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

- rape;
- indecent assault;
- sexual assault;
- assault with intent to commit sexual acts;
- incest;
- sexual penetration of child under the age of 16 years;
- indecent act with child under the age of 16 years;
- sexual relationship with child under the age of 16 years;
- sexual offences against people with impaired mental functioning;

- abduction and detention;
- procuring sexual penetration by threats or fraud;
- procuring sexual penetration of child under the age of 16 years;
- bestiality;
- soliciting a child under the age of 16 years to take part in an act of sexual penetration, or an indecent act;
- promoting or engaging in acts of child prostitution;
- obtaining benefits from child prostitution;
- possession of child pornography; and
- publishing child pornography and indecent articles.

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

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

Gender identity refers to a person's deeply held internal and individual sense of gender.

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

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

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

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

PART B: CODES OF CONDUCT

SSAA (WA) promotes the following codes of conduct to all people involved in any way with the sport of SSAA (WA). These codes of conduct highlight the principles and values of SSAA (WA) and our related policies.

In competition, breaches of the Codes of Conduct, including the use of bad and/or abusive language, by competitor, parent, team manager, coach or official may entail disqualification of the individual competitor or team. At all other times, breaches of the Codes of Conduct by persons involved in the sport of SSAA (WA) will follow disciplinary procedures as outlined in this document.

General Code of Conduct

As a person involved in any way with the sport of SSAA (WA), the following standards of behaviour are expected.

Fairness

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

Respect

5. Treat each person as an individual.
6. Be a positive role model.
7. Display control, tolerance and courtesy to all involved with the sport.
8. Value the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

Safety

9. Ensure your actions contribute to a safe environment.
10. Ensure your actions contribute to a harassment free environment.
11. Do not tolerate violence or abusive behaviours.
12. Show concern and caution towards others who may be sick or injured.

Responsibility

13. Be aware of SSAA (WA) standards, rules and policies including, but not limited to, the Member Protection Policy.
14. Ensure interaction with persons under the age of 18 years is appropriate and that unaccompanied and unobserved activities are avoided wherever practical.

15. Always make responsible choices and adopt appropriate behaviours with respect to alcohol and recreational, illicit and performance enhancing drugs.
16. Act with integrity and accept responsibility for your actions.
17. Make a commitment to providing quality service.
18. Understand your responsibility if you breach, or are aware of any breaches of these Codes of Conduct and other SSAA (WA) WA rules, regulations and policies.
19. Be a positive role model.
20. Obey the rules of firearms laws and regulations, including game laws and regulations.
21. Undertake to do all in your power to preserve the good image of the sport and the Association.
22. Support game management and wildlife conservation.
23. Encourage new shooters, both young and old, to acquire knowledge and ethical attitudes relating to game management, conservation and safe firearms ownership, all of which are the hallmark of the sporting shooter.
24. Obey the rules of safe firearm handling and diplomatically yet firmly insist others to do the same.

Competitor

1. Abide by the General Code of Conduct.
2. Compete within the rules.
3. Never argue with an official. If you disagree, approach the Official during a break or after the competition.
4. Be aware of each rule books' protest and appeals procedure.
5. Control your temper. Verbal abuse of officials, sledging other competitors, deliberately distracting or provoking other competitors is not acceptable or permitted behaviours in any sport.
6. Work equally hard for yourself and/or for your team. Your team's performance will benefit; so will you.
7. Be a good sport. Applaud all good efforts whether they are by your team or other competitors. Treat all competitors in your sport, as you would like to be treated. Do not interfere with, bully or take unfair advantage of another competitor.
8. Cooperate with your coach, teammates and other competitors. Without them there would be no competition.
9. Participate for your own enjoyment and benefit, not just to please parents and coaches.
10. Respect the rights, dignity and worth of all competitors regardless of their gender, ability, cultural background or religion.

Parent/Guardian

1. Abide by the General Code of Conduct.
2. Remember that children participate in sport for their enjoyment.
3. Encourage children to participate, do not force them.
4. Focus on the child's efforts and performance rather than winning or losing.
5. Encourage children always to participate according to the rules and settle disagreements without resorting to hostility or violence.
6. Never ridicule or yell at a child for making a mistake or losing a competition.
7. Remember that children learn by best example. Appreciate good performances and displays of skill by all competitors.
8. Support all efforts to remove verbal and physical abuse from sporting activities.
9. Respect officials' decisions and teach children to do likewise.
10. Show appreciation for volunteer coaches, officials and administrators. Without them, your child could not participate.
11. Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

Spectator

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

Administrators

1. Abide by the General Code of Conduct.
2. Be fair, considerate and honest in all dealing with others.
3. Be professional in, and accept responsibility for your actions. Your language, presentation, manners and punctuality should reflect high standards.
4. Demonstrate a high degree of individual responsibility especially when dealing

with persons under 18 years of age, as your words and actions are an example.

5. Resolve conflicts fairly and promptly through established procedures.
6. Maintain strict impartiality.
7. Maintain a safe environment for you and others.
8. Be aware of your legal responsibilities.
9. Be a positive role model for others.
10. Act honestly, in good faith and in the best interests of the sport as a whole.
11. Ensure that any information acquired or advantage gained from the position is not used improperly.
12. Conduct responsibilities with due care, competence and diligence.
13. Do not allow prejudice, conflict of interest or bias to affect your objectivity.
14. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background and religion.

Officials

1. Abide by the General Code of Conduct.
2. Place the safety and welfare of the athletes/participants above all else.
3. Accept responsibility for all actions taken.
4. Condemn unsporting behaviour and promote respect for all participants.
5. Avoid any situation that may lead to a conflict of interest.
6. Be courteous, impartial respectful and open to discussion and interaction.
7. Value the individual in sport.
8. Encourage and promote rule changes that will make participation more enjoyable.
9. Encourage inclusivity and access to all areas of officiating.
10. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background and religion.

Coaches

1. Abide by the General Code of Conduct.
2. Abide by the SSAA (WA) and National body coaching guidelines.

Hunters

1. Abide by the General Code of Conduct.
2. Conduct yourself in a safe and ethical manner to ensure that the future of recreational hunting and the shooting sports in general is protected.

3. Understand and follow the principles of ethical hunting and always display an appreciation and adherence to sustainable wildlife management practices and obey all specific game and hunting laws.
4. Treat every firearm as if it is loaded.
5. Carry only empty firearms, taken down or with the action open, into the car, camp and home.
6. Ensure that the barrel and action are clear of obstructions.
7. Always carry a firearm so you can control the direction of the muzzle.
8. Never point a firearm at anything you do not want to shoot.
9. Never leave your firearm unattended unless you unload it first.
10. Never climb a tree or a fence with a loaded firearm.
11. Never shoot at a flat, hard surface or the surface of water.
12. Do not mix gunpowder and alcohol.
13. Always consider yourself an invited guest of the landholder, seeking his or her permission, and so conducting yourself that you may be welcome in the future.
14. Obey the rules of safe gun-handling and courteously but firmly insist that others who hunt with you do the same.
15. Obey all game laws and regulations and insist that your companions do likewise.
16. Do your best to acquire those marksmanship and hunting skills which assure clean, sportsmanlike kills.
17. Support conservation efforts that can support sustainability for future generations of Australians.
18. Pass along the attitudes and skills essential to ensuring long-term sustainability of Australia's natural and cultural heritage.
19. Always be sure that the barrel and action are clear of obstructions.
20. Always carry your gun so that you can control the direction of the muzzle.
21. Be sure of your target before you pull the trigger.
22. Never leave your gun unattended unless you unload it first.

PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

WORKING WITH CHILDREN

SSAA (WA) is committed to providing a safe environment for children. As part of this, we will recruit staff and volunteers who do not pose a risk to children.

Employment screening and Working with Children Checks (WWC Check) can involve criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children and young people.

This policy and associated guidelines apply to all persons involved with SSAA (WA) who are engaged in 'child-related work' with either SSAA (WA) or a Member Club/Branch.

In this policy and associated guidelines, the definition of 'child-related work' is consistent with the definition in Section 6 of the *Working with Children (Criminal Record Checking) Act 2004* (the Act).

Persons engaged in 'child-related work' in either SSAA (WA) or a Member Club/Branch include:

- Employees (paid and unpaid);
- Volunteers (including students on placement);
- administrators; and
- other people carrying out child-related business (such as coaches, officials etc.).

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

REQUIREMENTS

The Act requires that people who start or continue in child-related work have a WWC Check and provides for the administration and management of WWC Checks and their outcomes. A WWC Check is valid for 3 years, after which time the individual is responsible for obtaining a renewal.

AWWC Check is compulsory for all people in child-related work as defined in Section 6 of the Act unless an exemption applies. To see who is eligible for exemption please go to the Working with Children WA Website *Factsheet 2 Child Related Work and Exemptions*.

For the purpose of this policy, a volunteer is an individual who engages in child-related work for an employer, volunteer organisation or education provider for no financial reward or remuneration.

A person who receives payments that just covers the costs of carrying out their child-related work is considered to receive "no financial reward" and is considered to be a volunteer by the WWC Screening Unit.

No exemptions apply to overnight camps.

In order to apply for a WWC Check, the usual duties of a person's work must involve or be likely to involve contact with a child in connection with one of the 19 work categories specified in the Act. These can be found on the Working with Children WA Website *Factsheet 1 What Is Child Related Work?*

It is the responsibility of the individual who is in, or is likely to be in child-related work to be aware of their legal requirements under the Act. Please refer to the Working with Children WA website *Working with Children Card Holder Responsibilities*.

Paid employees must apply for a WWC Check upon commencement of child-related work.

Employees, volunteers and individuals engaged in relevant child-related work in SSAA (WA) WA or Member Clubs/Branches who do not show proof that they have applied for a WWC Check may not be able to work or continue to work in SSAA (WA) and Member Clubs/Branches.

Employees, volunteers and individuals engaged child-related work who are issued with a Negative Notice or an Interim Negative Notice by the WWC Screening Unit or withdraw their application for a WWC Check are deemed unsuitable to undertake work in SSAA (WA) and Member Clubs/Branches.

Member Clubs/Branches must notify the President or State Secretary of SSAA (WA) immediately if a Negative Notice or an Interim Negative Notice is received in relation to any individual associated with SSAA (WA).

Any subsequent action taken by SSAA (WA) will be documented, transparent, legally defensible and capable of review in accordance with the principles of natural justice. All information relating to WWC Checks and their outcomes will be dealt with in the strictest confidence and in accordance with relevant legislation and policies.

More information on responsibilities of engaging someone in child related work can be found on the *Working with Children WA website*.

RECORD KEEPING

SSAA (WA) and Member Clubs/Branches are required to keep records to demonstrate compliance with the Act.

Records should include:

- a list of all employees, volunteers and students identifying those engaged in child-related work with your organisation;
- WWC Check application numbers (where applicable), WWC Card numbers and expiry dates or record of exemptions that apply for all your employees, volunteers and students in child-related work;
- copies of WWC Cards for your all employees, volunteers and students who engage in child-related work;
- all notifications received from the WWC Screening Unit;
- copies of any WWC Card validations from the WWC Check website; and
- any Interim Negative Notice(s) or Negative Notice(s) issued and the action taken by your organisation.

This information should:

- be stored securely;
- remain confidential; and
- be updated regularly.

DEFINITIONS

For the purposes of this policy, the following definitions in the Act are relevant:

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

Child-related work has a specific definition in the Act. “Work” is child-related if the usual duties of the work involve, or are likely to involve contact with a child in connection with at least one of the 19 categories of child-related work. For the purposes of the WWC legislation, volunteers under 18 years of age are exempt from the legislation and not in child-related work.

Class 1 and Class 2 offences are those specifically listed in the WWC legislation.

Contact includes:

- a) any form of physical contact;
- b) any form of oral communication, whether face to face, by telephone or otherwise; and
- c) any form of electronic communication;

but does not include contact in the normal course of duties between an employer and an employee or between employees of the same employer.

An **Interim Negative Notice** is a notice that prohibits a person from undertaking child-related work in Western Australia before a final decision is made by the WWC Screening Unit. An Interim Negative Notice is issued when it is determined that the person poses a serious and immediate risk to children and effectively prohibits the person from doing child-related work while the assessment process is finalised.

A **Negative Notice** is a notice that prohibits a person from undertaking child-related work in Western Australia and is valid until its cancellation under the Act.

A **Working with Children Card** is issued to a person when their WWC Check has been successful. It is also referred to as an assessment notice.

A **Working with Children Check** is a compulsory national criminal record check for people who undertake child-related work in Western Australia.

SCREENING PROCEDURES

The following screening procedures are used by SSAA (WA).

Members / Volunteers

- Working with Children Checks as required.
- Volunteer National Police Check where applicable.

Coaches

- References and background checks as required.
- Working with Children Checks as required.
- Volunteer National Police Check where applicable.

Officials

- Working with Children Checks as required.
- Volunteer National Police Check where applicable.

State Executive Sub-Committees

- References and background checks.
- Working with Children Checks.

State Team Coaches/Managers

- References & background checks.
- Working with Children Checks.
- Volunteer National Police Check where applicable.

State Executive

- References and background checks.
- Working with Children Checks.
- Volunteer National Police Check where applicable.

Staff

- References and background checks.
- Working with Children Checks.
- National Police Check where applicable.

PART D: MEMBER PROTECTION COMPLAINTS

SSAA (WA) is committed to supporting people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way. All complaints will be treated seriously.

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

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

SSAA (WA) will provide informal and formal procedures to deal with complaints. Individuals and organisations can also make complaints to external organisations under anti-discrimination, child protection and other relevant laws. We also provide an appeals process for those matters.

If a complaint relates to behaviour or an incident that occurred at the club/branch level, or involves people operating at the club/branch level, then the complaint should be reported to and handled by the relevant club/branch in the first instance.

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

INFORMAL APPROACHES

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

As a first step, you (the complainant) should try to sort out the problem with the person or people involved if you feel confident to do so.

Step 2: Contact a Member Protection Information Officer

We encourage you to talk to a Member Protection Information Officers (MPIOs) if:

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

The names and contact details for SSAA (WA) MPIOs will be made available on the SSAA (WA) website.

The MPIO will:

- ask how you would like your concern to be resolved and if you need support;
- seek to provide different options for you to address your concern;
- act as a support person, if you wish;
- refer you to an appropriate person to help you address your concern, if appropriate;

- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, maintain confidentiality.

Step 3: Decide how to address your concern

After talking with the MPIO, you may decide:

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

FORMAL APPROACHES

Step 4: Making a formal complaint

If it is not possible or appropriate to resolve your complaint through an informal process, you may make a formal complaint in writing to the Club/Branch President or if the complaint relates to an incident at a State level, the State Secretary or approach a relevant external agency, such as an anti-discrimination or equal opportunity commission, for advice and assistance.

After receiving a formal complaint, and based on the material you provide, the State Secretary will decide whether:

- he or she is the most appropriate person to receive and handle the complaint;
- the nature and seriousness of the complaint requires a formal resolution procedure;
- to refer the complaint to mediation;
- to appoint a person to investigate the complaint;
- to refer the complaint to a tribunal hearing;
- to refer the matter to the police or other appropriate authority; and/or
- to implement any interim arrangements that will apply until the complaint process is completed.

In dealing with your formal complaint, the State Secretary will take into account:

- whether he or she has had any personal involvement in the circumstances and if so, whether it is appropriate someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding how the complaint should be handled;
- the relationship between you and the respondent (e.g. an actual or perceived power imbalance between you and the respondent);
- whether the facts of the complaint are in dispute; and

- the urgency of the complaint, including the possibility that you might face further unacceptable behaviour while the complaint process is underway.

If the President is the appropriate person to handle the complaint, he or she will, where appropriate and/or necessary:

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

Step 5: Investigating the complaint

In some cases, an investigation may be required to determine the facts surrounding the complaint. Our investigations procedure is outlined in Attachment D1.

Following the investigation, a written report will be provided to the State Secretary.

- If the complaint is referred to mediation, we will follow the steps outlined in the SSAA (WA) Constitution or as agreed by you, the respondent and the mediator.
- If the complaint is referred to a tribunal hearing, the hearing will be conducted according to the steps outlined in Attachment D2.
- If the complaint is referred to the police or another external agency, we will endeavour to provide all reasonable assistance required by the police or the agency.

Any costs incurred by us relating to the complaint process set out in this policy (e.g. investigation, mediation and/or a tribunal hearing) will be met by the relevant body complained to. That is, the Club/Branch or SSAA (WA).

Step 6: Reconsidering a complaint or appealing a decision

If the matter is referred to mediation and is not resolved at mediation, you may pursue the matter further in accordance with the process contained within the SSAA (WA) Constitution.

In accordance with SSAA (WA) rules you or the respondent(s) may also appeal a decision made at a tribunal hearing. The grounds and process for appeals are set out in Attachment D2.

Step 7: Documenting the resolution

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

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

APPROACHING EXTERNAL ORGANISATIONS

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

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

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

Contact details for the state and territory anti-discrimination and equal opportunity commissions are available on the Play by the Rules website:

<http://www.playbytherules.net.au/resources/quick-reference-guide>.

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

IMPROPER COMPLAINTS AND VICTIMISATION

SSAA (WA) aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against any person making a complaint.

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

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

PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

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

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

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

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

ATTACHMENTS

Attachment E1: Record of informal complaint

Attachment E2: Record of formal complaint

Attachment E3: Handling an allegation of child abuse

Attachment E4: Confidential record of child abuse allegation

INVESTIGATION PROCESS

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

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

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

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

1. We will provide a written brief to the investigator that sets out the terms of engagement and his or her roles and responsibilities.
2. The investigator may:
 - interview the complainant and record the interview in writing;
 - provide full details of the complaint to the respondent(s) so that they can respond
 - interview the respondent(s) to allow them to answer the complaint and record the interview in writing;
 - obtain statements from witnesses and collect other relevant evidence;
 - make a finding as to whether the complaint is:
 - **substantiated** (there is sufficient evidence to support the complaint)
 - **inconclusive** (there is insufficient evidence either way);
 - **unsubstantiated** (there is sufficient evidence to show that the complaint is unfounded);
 - **mischievous, vexatious or knowingly untrue.**
 - provide a report to the President of the Club/Branch or President of SSAA (WA) documenting the complaint, the investigation process, the evidence,) and, if requested, any findings and recommendations.
3. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points from the investigation.
4. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person or adviser (e.g. MPIO).

TRIBUNAL PROCEDURES

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

Preparing for a Tribunal hearing

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

person if he or she has been admitted to practice as a lawyer or worked as a trainee lawyer.]

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

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

Tribunal hearing procedure

9. The following people will be allowed to attend the Tribunal hearing:
 - Tribunal panel members;
 - the respondent(s);
 - the complainant;
 - any witnesses called by the respondent(s);
 - any witnesses called by the complainant;
 - any parent/guardian or support person required to support the respondent or the complainant.
10. If the respondent(s) is not present at the set hearing time and the Tribunal chairperson considers that no valid reason has been presented for this absence, the Tribunal hearing will continue subject to the chairperson being satisfied that all Tribunal notification requirements have been met.
11. If the Tribunal chairperson considers that there is a valid reason for the non-attendance of the respondent(s), or the chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal hearing will be rescheduled to a later date.
12. If the Tribunal chairperson wishes to reschedule the Tribunal hearing date, the Tribunal chairperson will inform the Club/Branch or State Secretary of the need to reschedule the hearing and the Club/Branch or State Secretary will arrange for the Tribunal to be reconvened.
13. The Tribunal chairperson will read out the complaint, ask each respondent if he or she understands the complaint and if he or she agrees or disagrees with the complaint.
14. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal when determining any sanctions.
15. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Reference may be made to brief notes.
 - The complainant may call witnesses.
 - The respondent may question the complainant and any witnesses.
16. The respondent will then be asked to respond to the complaint.
 - Reference may be made to brief notes.
 - The respondent may call witnesses.
 - The complainant may ask questions of the respondent and any witnesses.
17. The complainant and respondent(s) may be present when evidence is presented to the Tribunal hearing. Witnesses may be asked to wait outside the hearing until they are required.
18. The Tribunal may:
 - consider any evidence, and in any form, that it deems relevant;
 - ask questions of any person giving evidence;

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

Appeals procedure

27. A complainant or a respondent(s) may lodge with the Club/Branch or State Secretary an appeal in relation to the decision of a Tribunal on one or more of the following grounds:
 - 27.1 that a denial of procedural fairness has occurred;
 - 27.2 that the sanction imposed is unjust and/or unreasonable;
 - 27.3 that the decision was not supported by the information/evidence provided at the mediation or to the Tribunal Hearing;
28. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the Club/Branch or State Secretary within seven (7) days of the decision being made. An appeal fee of \$200 shall be included with the letter of intention to appeal.
29. If the letter of appeal is not received by the Club/Branch or State Secretary within this time, the right of appeal will lapse. If the letter of appeal is received but the appeal fee is not received within this time, the appeal will also lapse.

30. The letter of appeal and the notice of the Tribunal's decision (clause 24) will be forwarded to the Club/Branch Committee or State Executive as appropriate to review and to decide whether there are sufficient grounds for the appeal to proceed. The Club/Branch Committee or State Executive as appropriate may invite any witnesses to the meeting that he or she believes are required to make an informed decision.
31. If the appellant has not shown sufficient grounds for an appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision. The appeal fee will be forfeited.
32. If the appeal is accepted, an Appeal Tribunal with new panel members will be convened to rehear the complaint, and the appeal fee will be refunded.
33. The Tribunal hearing procedure shall be followed for the Appeal Tribunal.
34. The decision of the Appeal Tribunal will be final and binding.

Attachment E1:
RECORD OF INFORMAL COMPLAINT

| | | |
|---|---|-----------------|
| Name of person receiving complaint | | Date: / / |
| Complainant's Name | <input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18 | |
| 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 | |
| When/where did the incident take place? | | |
| What are the facts relating to the incident, as stated by complainant? | | |
| What is the nature of the complaint? (category/basis/grounds) Tick more than one box if necessary | <input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other | |
| What does the complainant want to happen to resolve the issue? | | |

| | |
|--|--|
| What other information has the complainant provided? | |
| What is the complainant going to do now? | |

This record and any notes must be kept confidential and secure. If the issue becomes a formal complaint, this record is to be given to the relevant President of the Club/Branch or State Secretary.

Attachment E2:
RECORD OF FORMAL COMPLAINT

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

| | |
|---|---|
| Methods (if any) of attempted informal resolution | |
| Formal resolution procedures followed (outline) | |
| If investigated: | Finding |
| If heard by Tribunal: | Decision Action recommended |
| If mediated: | Date of mediation: Both/all parties present Agreement Any other action taken |

| | |
|--------------------------|---|
| If decision was appealed | <p>Decision</p> <p>Action recommended</p> |
| Resolution | <p><input type="checkbox"/> Less than 3 months to resolve</p> <p><input type="checkbox"/> Between 3 – 8 months to resolve</p> <p><input type="checkbox"/> More than 8 months to resolve</p> |
| Completed by | <p>Name:</p> <p>Position:</p> <p>Signature: Date / /</p> |
| Signed by: | <p>Complainant:</p> <p>Respondent:</p> |

This record and any notes must be kept confidential and secure. If the complaint is of a serious nature, or if it is taken to and/or dealt with at the state level, the original record must be provided to the President of the Club/Branch or State Secretary and a copy kept with the organisation where the complaint was first made.

Attachment E3:

PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

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

Fact sheets on reporting allegations of child abuse in different states and territories are available here <https://www.playbytherules.net.au/got-an-issue/child-safe-sport>

SSAA (WA) will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

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

Step 1: Receive the allegation

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

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

Step 2: Report the allegation

Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.

Contact the relevant child protection agency or police for advice if there is any doubt about whether the allegation should be reported.

If the allegation involves a person to whom this policy applies, then also report the allegation to the State Secretary so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

The State Secretary will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender

or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is an employee of SSAA (WA).

The State Secretary will consider what services may be most appropriate to support the child and his or her parent/s.

The State Secretary will consider what support services may be appropriate for the alleged offender.

The State Secretary will seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:

- i) a criminal investigation (conducted by the police)
- ii) a child protection investigation (conducted by the relevant child protection agency)
- iii) a disciplinary or misconduct inquiry/investigation (conducted by SSAA (WA)).

SSAA (WA) will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.

If disciplinary action is undertaken, we will follow the procedures set out in our constitution or Member Protection Policy.

Where required we will provide the relevant government agency with a report of any disciplinary action we take.

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

| Western Australia | |
|---|--|
| Western Australia Police Non-urgent police assistance Ph: 131 444 www.police.wa.gov.au | Department for Child Protection and Family Support www.dcp.wa.gov.au Ph: (08) 9222 2555 or 1800 622 258 |

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

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