



**AUSTRALIAN VOLLEYBALL FEDERATION
INCORPORATED**
(ABN 46 487 409 518)

**MEMBER PROTECTION
POLICY**

As approved by the Board of the Australian Volleyball
Federation - April 18th, 2004

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PREFACE

As the peak body for the sport of volleyball in this country, Volleyball Australia's purpose is to provide for the development, conduct, promotion and administration of the sport for the mutual and collective benefit of the volleyball community.

We aim to provide opportunities for individuals of all ages and abilities to participate at their desired level as a player, referee or coach and deliver an events portfolio which supports these opportunities. At the highest level, this means delivering success in international beach and indoor competitions through a sustainable and well structured elite development pathway. We do this through fostering relationships with key stakeholders as well as building systems and programs to grow, enhance and better deliver the business of volleyball in Australia.

It is vital that individuals in any facet of the sport (players, coaches, officials, administrators and volunteers) are able to participate freely. Volleyball Australia is therefore committed to providing an environment that is safe for children, free from harassment, discrimination and abuse for everyone, and promotes respectful and positive behaviour and values.

The following Member Protection Policy provides a code of behaviour which forms the basis of appropriate and ethical conduct for **everyone**. The policy not only provides the necessary framework for volleyball organisations at all levels but also clearly articulates the operational requirements of these same organisations that are an integral component of the volleyball delivery structure.

Volleyball Australia is committed to ensuring that **everyone** associated with the organisation complies with this policy so that volleyball participants at all levels have a positive, respectful and fulfilling experience.

Chris Schacht
President

24 July 2012

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PART A: MEMBER PROTECTION POLICY

1.1 A Vision

To be a high profile, nationally aligned organisation with agreed performance outcomes and accountabilities that lead to increased participation great competitions, increased international success, sustained growth and stakeholder satisfaction

1.2 Mission

Our mission is to provide for the development, conduct, promotion and administration of the sport for the mutual and collective benefit of the volleyball community.

1.3 Core Values

- Strive for excellence and innovation.
- Value the well being and diversity of our people.
- Be responsive to our stakeholders needs.
- Listen and communicate openly.
- Be open and transparent.
- Be co-operative and work as a team.
- Be objective, fair and nationally focused in our decision making.

2. WHAT IS THE PURPOSE OF THIS POLICY?

This policy aims to ensure our core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. This policy also ensures that everyone involved in our sport is aware of his or her legal and ethical rights and responsibilities. This policy also reflects our support and implementation of the sport industry principles and values outlined in The Essence of Australian Sport - principles of fairness, respect, responsibility and safety.

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

This policy has been endorsed as a By-Law by the AVF Board under Rule 31 of the AVF Constitution. The policy starts on **4 May 2004** and will operate until replaced. This policy and/or its attachments may be amended from time to time by amendments, by resolution of the AVF Board. Copies of the policy and its attachments can be obtained from our website www.avf.org.au or from your State/Territory administration.

3. WHO DOES THIS POLICY APPLY TO?

This policy applies to the following organisations and individuals whether they are in a paid or unpaid/voluntary capacity:

- (a) individuals appointed or elected to boards of directors, executives and/or committees and sub-committees of AVF, Member States and State Affiliates;
- (b) employees, paid contractors and volunteers of AVF, Member States and State Affiliates;
- (c) support personnel (including, but not limited to, team managers and chaperons);
- (d) coaches and assistant coaches who:
 - (i) are appointed and/or employed by AVF, Member States and State Affiliates (whether paid or unpaid);
 - (ii) have an agreement (whether or not in writing) with AVF, a Member State or a State Affiliate to coach at a facility owned/hired or managed by such organisation;
 - (iii) are registered members of a coaching association.
- (e) participants who participate in volleyball or who enter any competition, activity or events (including, but not limited to, camps and training sessions, etc) which are held or sanctioned by AVF, a Member State or a State Affiliate;
- (f) competition officials;
- (g) Members, including life members;
- (h) Member States;
- (i) State Affiliates;
- (j) State Delegates;
- (k) Any other person or organisation that is a member of or affiliated to AVF, a Member State or a State Affiliate (including Life Members); and
- (l) Parents, guardians, spectators and sponsors to the full extent that is possible including where such persons or organisations have agreed, in writing or otherwise, to be bound by this policy.

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

4. CODE OF CONDUCT

AVF requires every individual and organisation bound by this policy to:

- (a) Uphold the values of honesty, integrity, enterprise, excellence, accountability, justice, independence and equality of stakeholder opportunity;
- (b) Act honestly, and in good faith in all their dealings with other people and the AVF;
- (c) Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- (d) Always place the safety and welfare of children above other considerations;
- (e) Comply with the AVF Constitution and AVF's rules and policies including this Policy;
- (f) Operate within the rules and spirit of the sport, maintaining an uncompromising adherence to standards, rules, regulations and policies
- (g) Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
- (h) Be responsible and accountable for their conduct; and
- (i) Abide by the relevant Codes of Conduct outlined in Part D of this policy.

5. ORGANISATIONAL RESPONSIBILITIES UNDER THIS POLICY

5.1 AVF, Member States and State Affiliates must:

- (a) Adopt, implement and comply with this policy;
- (b) Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- (c) Promote appropriate standards of conduct at all times;
- (d) Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- (e) Apply this policy consistently without fear or favour;
- (f) Recognise and enforce any penalty imposed under this policy;
- (g) Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies;
- (h) Appoint at least one Member Protection Information Officer (MPIO) to receive and handle complaints and allegations and display the names and contact details of such person(s) in a way that is readily accessible;
- (i) Monitor and review this policy at least annually; and

- (j) Make such amendments to their constitution, rules or by laws in order for this policy to be enforceable, as required by AVF.

5.2 The AVF Board, the Member States and the State Affiliates are responsible for taking all reasonable steps to ensure implementation, compliance and enforcement of this policy.

6. INDIVIDUAL RESPONSIBILITIES

Individuals bound by this policy are responsible for:

- (a) making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- (b) Complying with our screening requirements and any State/Territory Working with children checks;
- (c) Placing the safety and welfare of children above other considerations
- (d) Being accountable for their behaviour;
- (e) co-operating in providing discrimination, child abuse and harassment free sporting environment; and
- (f) Following the procedures outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour and
- (g) Complying with any decisions and/or disciplinary measures imposed under this policy.

7. POLICY POSITION STATEMENTS

7.1 Child Protection Policy

Every person and organisation bound by this policy must always place the safety and welfare of children above all other considerations.

AVF and affiliated bodies acknowledge that our staff and volunteers provide a valuable contribution to the positive experiences of our junior participants. AVF aims to ensure this continues and to protect the safety and welfare of its junior participants. Several measures will be used to achieve this such as:

- (a) developing and implementing a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another
- (b) prohibiting any form of abuse against children;
- (c) providing opportunities for our juniors to contribute to and provide feedback on the development and maintenance of child safe environments;

- (d) carefully selecting and screening people whose role requires them to work with junior participants and or have direct and unsupervised contact with children (screening procedures are outlined in Part B of this policy);
- (e) ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed;
- (f) providing procedures for raising concerns or complaints (complaints procedure is outlined in Part C of this policy); and
- (g) Providing education and/or information to those involved in our sport on child abuse and child protection.
- (h) Ensuring that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

AVF requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within our sport, to report it immediately to the police or relevant government agency and to your Member State MPI. Descriptions of the sorts of activity which may be abuse are in the Dictionary at clause 11.

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in attachment C of this policy.

If anyone bound by this policy reasonably suspects that a child is being abused by his or her parent/s, they are advised to contact the relevant government department for youth, family and community services in their state/territory.

7.2 Taking Images of Children

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

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

AVF requires its members, Member States and State Affiliates to do likewise.

7.3 Anti-Discrimination and Harassment Policy

AVF recognises that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their age, disability, family responsibilities, gender identity, homosexuality or sexual orientation, irrelevant medical or criminal record, marital status, political belief, pregnancy or breastfeeding, race, religion, sex, social origin and/or trade union membership/activity.

AVF prohibits all forms of harassment and discrimination based on personal characteristics listed in the Dictionary. Discrimination and harassment are extremely distressing, offensive, humiliating and/or threatening and create an uncomfortable and unpleasant environment. In most circumstances discrimination and harassment are against the law.

Descriptions of some of the types of behaviour which could be regarded as harassment or discrimination are provided in the Dictionary at clause 11 and may be face-to-face, indirectly or via communication technologies such as mobile phone and computers.

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

7.4 Sexual Relationships Policy

AVF takes the view that intimate relationships (whether or not of a sexual nature) between coaches and participants, while not necessarily of constituting harassment, can have harmful effects on the individual participant involved, on other participants and on the sport's public image. Such relationships may be perceived to be exploitative because there is usually a disparity between coaches and participants in terms of authority, maturity, status and dependence. Given there is always a risk that the relative power of the coach has been a factor in the development of such relationships, they should be avoided by coaches at all levels. In the event that a participant attempts to initiate an intimate relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such actions.

The law is always the minimum standard for behaviour within AVF and therefore sex with a child is a criminal offence.

7.5 Pregnancy Policy

AVF is committed to providing an inclusive sporting environment for pregnant women involved in its activities. AVF expects everyone bound by this policy to treat pregnant women with dignity and respect and to remove any unreasonable barriers to participation in our sport that disadvantage them. We will not tolerate any unlawful discrimination or harassment against pregnant women or women who may become pregnant.

Descriptions of some of the types of behaviour which could be regarded as pregnancy discrimination or harassment are provided in the Dictionary at clause 11.

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

While many sporting activities are safe for pregnant women to participate in, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the particular sporting activity and the particular pregnant woman's circumstances. AVF will take reasonable care to ensure the safety, health and well being of pregnant women and their unborn children. We will advise pregnant women that there may be risks involved, and 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 children, are of utmost importance in their decision making about the extent and manner in which they participate in our sport.

We encourage all pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation in particular sporting activities.

We will only require pregnant women to sign a disclaimer if we require other participants to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

7.6 Gender Identity Policy

AVF is committed to providing an inclusive sporting environment where transgender or transsexual people involved in its activities are able to contribute and participate. AVF expects everyone who is bound by this policy to treat people who identify as transgender or transsexual fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. We will not tolerate any unlawful discrimination or harassment against a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual.

Descriptions of some of the types of behaviour which could be regarded as transgender or transsexual discrimination or harassment are provided in the Dictionary at clause 11.

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

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

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

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

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.

7.7 Alcohol Policy

AVF recommends that State Associations and their member Clubs adhere to strict guidelines regarding the responsible consumption of alcohol. Generally, alcohol should not be available nor be consumed at a sporting event at which children under 18 are participants in the sport. Responsible service and consumption of alcohol should apply to any alcohol to be consumed after the competition has concluded, including light alcohol and soft drinks always being available; wherever possible, food being available to be consumed when alcohol is available; transport policies, and Board/Committee Members being in attendance to ensure appropriate practices are followed. Guidance can be obtained from the "Alcohol Management Policy" available at <http://www.goodsports.com.au/goodsports/pages/sample-policies.html>.

7.8 Smoking Policy

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

- Coaches, officials, trainers, volunteers and players will refrain from smoking in front of participants at any sporting event or competition involving persons under the age of 18.
- Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas;
- Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity for any of the AVF, SSO, Club or representative team, on and off the field.

7.9 Cyber Bullying/Safety

Bullying and harassment in all forms is regarded by AVF as unacceptable in this sport and members are referred to our Social media policy for our full position. Given the emergence of new telephone and internet social networks, the opportunity for unwanted and improper comments and statements has dramatically increased. Messages or statements made in these ways using these means of communication are largely instantaneous, and can easily be abused. Others may also manipulate a person by encouraging a statement to be made on twitter or facebook, for example, when the writer may be upset or vulnerable. Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a referee, team-mate, coach, or sporting body should never be communicated on social network channels, but rather by way of reasoned and logical verbal and

written statements and where appropriate, complaints, to the relevant controlling club, league or peak sporting body.

7.10 Social Networking Websites Policy

AVF acknowledges the emergence of new technology and communication mediums (new media), and wishes to enable such new media to be used to benefit the sport and its participants, and to applaud achievements. This can occur due to the immediate nature of communication to a wide audience using channels such as facebook, twitter, and SMS. However, participants within the sport need to be very mindful of a few key matters that could lead to inappropriate use of new media, at times unintended, and at other times without a proper understanding that once comments are made or published, they are in public for a long time, and hard to take back (retract). Cautions [NSO] recommends:

- Do not include personal information of yourself or others in social media channels;
- Do not use offensive, provocative or hateful language;
- Use your best judgment – do not publish something that makes you the slightest bit uncomfortable, and never write/publish if you are feeling emotional or upset (or are intoxicated);
- Always ask for a person's permission before posting their picture on a social networking forum;
- Never comment on rumours, do not deny or affirm them or speculate about rumours; and
- Always use social network forums to add value and promote the sport in a positive way.

Members are referred to the AVF's Social Media policy for our full position on the use of Social networking and websites.

8. COMPLAINTS PROCEDURES

8.1 Complaints

AVF aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy. A complaint should be reported to the relevant MPIO.

A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the MPIO considers that the complaint falls outside the parameters of this policy and would be better dealt with another way.

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

8.2 Vexatious Complaints & Victimisation

AVF aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the MPIO considers that a complainant has **knowingly** made an untrue complaint or the

complaint is vexatious or malicious, the matter may be referred to the relevant Member State Committee of Management or the AVF Board for appropriate action which may include disciplinary action against the complainant.

AVF will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to sort it out. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.

8.3 Mediation

AVF and the Member States aim to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. 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. Lawyers are not able to negotiate on behalf of the complainant and/or respondent.

Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the MPIO or other designated person will, in consultation with the complainant, arrange for a mediator to mediate the complaint. More information on the mediation process is outlined in attachment C of this policy.

8.4 Tribunals

A hearings tribunal may be formed to conduct a hearing into an alleged breach of the policy or a formal complaint that has been referred by the AVF Board or the Committee of Management of a Member State. Our tribunal hearings procedure is outlined in attachment C of this policy.

A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal. The decision of the appeal tribunal is final and binding on the people involved to the appeal. Our appeals process is outlined in attachment C of this policy.

Every organisation bound by this policy will recognise and enforce any decision made, and form of discipline imposed, by an appeals tribunal under this policy.

9. WHAT IS A BREACH OF THIS POLICY?

It is a breach of this policy for any person or organisation to which this policy applies, to:

- (a) do anything contrary to this policy;
- (b) breach the Code of Conduct or any of the Role-Specific Codes of Conduct incorporated in this Policy;
- (c) bring the sport, AVF, Member States or the State Affiliates into disrepute;
- (d) fail to follow the AVF and Member State policies and procedures for the protection, safety and welfare of children;

- (e) have appointed or continue to appoint a person to a role that involves working with children and young people contrary to this policy;
- (f) discriminate against or harass any person;
- (g) victimise another person for reporting a complaint;
- (h) engage in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;
- (i) disclose to any unauthorised person or organisation any AVF, Member State or Affiliated Club, information that is of a private, confidential or privileged nature;
- (j) make a complaint they **knew** to be untrue, vexatious, malicious or improper;
- (k) fail to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- (l) fail to comply with a direction given to the individual or organisation during the discipline process.

10. FORMS OF DISCIPLINE

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include making a verbal or written apology, paying a fine, being suspended or de-registered or having a person's appointment or employment terminated.

11. DICTIONARY

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

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

AVF means the Australian Volleyball Federation Inc, the national governing body for volleyball in Australia.

AVF Constitution means the constitution of AVF as amended from time to time.

Chief Executive Officer has the same meaning as in the AVF Constitution.

Child means a person who is under the age of 18 years (see also definition of young person)

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

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

Codes of Conduct means the standard of conduct required by AVF which is set out in the codes of conduct and the Role-specific Codes of Conduct annexed to this policy.

Complaint means a complaint made under this policy.

Complainant means the person making a complaint.

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

- age;
- disability;
- family/carer responsibilities;
- gender identity/transgender status;
- homosexuality and sexual orientation;
- irrelevant medical record;
- irrelevant criminal record;
- political belief/activity;
- pregnancy and breastfeeding;
- race;

- religious belief/activity;
- sex or gender;
- social origin;
- trade union membership/activity.

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

Examples of Discrimination

- age: a club refuses to allow an older person to coach a team simply because of their age;
- breastfeeding: a member of the club who is breastfeeding her baby in the class venue is asked to leave;
- disability: a junior player is overlooked because of her mild epilepsy;
- family responsibilities: a club decides not to appoint a person because they have a child with a disability even though the person is the best person for the job;
- gender identity: a transgender contract worker is harassed when employees refuse to call her by her female name;
- homosexuality: an athlete is ostracised from her team after she tells a team mate that she is a lesbian;
- marital status: a player is deliberately excluded from team activities and social functions because she is single;
- pregnancy: a woman is dropped from her team when she becomes pregnant;
- race: an Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race; and
- sex: specialist coaching is only offered to male players in a mixed team.

Frivolous means trifling or futile.

Harassment is any type of behaviour that the other person does not want and does not return and that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. The behaviour is unwelcome and of a type that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or other characteristic (see characteristic list under Discrimination definition).

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

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

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

- holding a competitive sporting activity for females only who are 14 years of age or over where strength, stamina or physique is relevant; or
- not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that sporting activity.

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

It is also against discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment.

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

Hearings Convenor means a person appointed in accordance with Attachment C4, who is responsible for the administration of hearings by the Hearings Tribunal.

Hearings Tribunal means the tribunal of AVF or a Member State established to hear and determine alleged breaches and appeals under this Policy.

Junior means a person under the age of eighteen (18) years who is participating in an activity of the AVF, Member State or Affiliated Club.

Malicious means with wrongful intention.

Mediator means a person appointed to mediate complaints made under this policy. It is preferable that the mediator has relevant skills, qualifications and/or training in mediation.

Member State has the same meaning as in the AVF Constitution.

Member protection is a term used by the Australian sport industry to describe the practices and procedures that protect members – both individual members such as

players, coaches and officials, and the member organisations such as clubs, state associations, other affiliated associations and the national body. Member protection involves:

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

Member Protection Information Officer (“MPIO”) means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this policy. The MPIO provides confidential information and moral support to the person with the concern or who is alleging harassment or a breach of this policy. They help the complainant deal with any emotions they may have about what has happened and operate as a sounding board as the complainant decides what they want to do. The MPIO may accompany the complainant in anything they decide to do, if it feels appropriate and they are happy to do it.

Natural justice incorporates the following principles:

- a person who is the subject of a complaint must be fully informed of the allegations against them;
- a person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence;
- all parties need to be heard and all relevant submissions considered;
- irrelevant matters should not be taken into account;
- no person may judge their own case;
- the decision maker/s must be unbiased, fair and just; and
- the penalties imposed must not outweigh the ‘crime’.

NSO means a National Sporting Organisation, the peak body recognised as governing the National level of the sport.

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

Policy and this policy mean this Member Protection Policy.

Respondent means the person who is being complained about.

Role-specific Codes of Conduct means standards of conduct required of people in certain roles (e.g. coaches).

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted

physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

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

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

- rape;
- indecent assault;
- sexual assault;
- assault with intent to have sexual intercourse;
- incest;
- sexual penetration of child under the age of 16;
- indecent act with child under the age of 16;
- sexual relationship with child under the age of 16;
- sexual offences against people with impaired mental functioning;
- abduction and detention;
- procuring sexual penetration by threats or fraud;
- procuring sexual penetration of child under the age of 16;
- bestiality;
- soliciting acts of sexual penetration or indecent acts;
- promoting or engaging in acts of child prostitution;
- obtaining benefits from child prostitution;
- possession of child pornography;
- publishing child pornography and indecent articles.

SSO means a State Sporting Organisation, the peak body recognised as governing the State level of the sport.

State Delegates has the same meaning as in the AVF Constitution.

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

Vexatious means malicious or trivial of intent.

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

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

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

PART B: CHILD PROTECTION REQUIREMENTS

Background

It is becoming increasingly important for people whose role will involve direct and unsupervised contact with children to undertake some form of criminal record check or criminal history assessment. Legislation is constantly being reviewed and amended to ensure adequate protection is provided to children.

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

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

There appears to be two types of screening processes in Australia. New South Wales and South Australia have employer-driven systems that make it mandatory for employers in relevant fields to carry out background checks on prospective employees or volunteers. The other type of screening that occurs in Queensland, Victoria, Western Australia and the Northern Territory offers certification to individuals so they can engage in child-related work.

The Australian Capital Territory and Tasmania are currently reviewing their screening laws. New requirements and amendments will be added to this policy as they are introduced. There is no current screening process or formal legislation. However, individual employers or sporting organisations may require police checks at their discretion.

Please be aware that state and territory WWCC requirements may also apply to individuals who visit states with screening laws. For example, if a state association or club takes players under 18 years of age into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with NSW law.

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

The following attachments provide:

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

Attachment B1: SCREENING REQUIREMENTS

Screening requirements apply in States/Territories without Working With Children Checks such as ACT and Tasmania.

This attachment sets out the screening process for people who currently occupy or who apply for any work (paid or voluntary) in our sport that involves direct and unsupervised contact with people under the age of 18 years.

Screening under this policy is not a replacement for any other procedure required by law. If State or Territory legislation sets an equivalent or higher standard of screening, the requirement to screen people under the process outlined below need not be followed.

AVF and its Member States and State Affiliates will:

1. Identify positions (paid or voluntary) that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
2. Obtain a completed Member Protection Declaration (MPD) (Attachment B2) from all people who are identified in the above step and keep it in a secure place.
3. Provide an opportunity for a person to give an explanation if a MPD is not provided or it reveals that the person does not satisfactorily meet any of the clauses in the MPD. AVF (or the Member State or State Affiliate) will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied, it will not appoint the person to the role/position.
4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
5. Ask the people identified in step 1 (including people applying for a position and people who currently occupy a position that involves direct and unsupervised contact with people under the age of 18 years) to **sign a consent form** for a national police check.
6. Request (or ask the person to request) a national 'Part Exclusion' police check from the relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, AVF (Member State or State Affiliate) will provide an opportunity for the person to give an explanation, and then it will make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years. If AVF (or the Member State or State Affiliate) remains unsatisfied then it will not appoint the person to the role.
7. Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under AVF's policy. If unsatisfied, AVF (or the Member State or State Affiliate) will:
 - (a) in the case of an existing employee/volunteer, transfer the person to another role which does not require them to work directly and unsupervised with people under the age of 18 years. If this is not possible, then end the appointment; and
 - (b) in the case of someone applying for the position/role, not appoint them.

- 8. Decide whether to offer the person the position taking into account the result of the police check and any other information AVF(or the Member State or State Affiliate) has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, AVF (or the Member State or State Affiliate) will complete the check as soon as possible, and if necessary, act immediately on the outcome.
- 9. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
- 10. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise destroy such records within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to him/her. For appointed persons, information will be kept on file in a secure location.

Attachment B2: Member Protection Declaration

AVF has a duty of care to its members and to the general public who interact with its employees, volunteers, members and others involved with AVF's activities. As part of this duty of care and as a requirement of AVF's Policy, the AVF must enquire into the background of those applying for, undertaking or remaining in any work (paid or voluntary) that involves direct and unsupervised contact with people under the age of 18 years.

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

sincerely declare:

- 1. I do not have any criminal charge pending before the courts.
- 2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence.
- 3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, acts of violence, intimidation or other forms of harassment.
- 4. To my knowledge there is no other matter that the AVF may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
- 5. I will notify the President of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in the clauses above has changed for whatever reason.

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

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

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

Name:.....

Signature:.....

Date:.....

Attachment B3: Working with Children Protection Requirements

The following information was updated in May 2011. It is subject to change at any time.

1. QUEENSLAND

A person will need a Working with Children Check (WWCC), also known as a **blue card**, if they propose to work in a paid or voluntary capacity or to carry on a business in a child-related area regulated by the *Commission for Children and Young People and Child Guardian Act 2000*, for at least:

- Eight consecutive days; or
- Once a week for each week during a period of four weeks; or
- Once a fortnight for each fortnight during a period of eight weeks; or
- Once a month for each month during a period of six months.

Once a person is checked and approved, they are issued with a blue card. **Volunteers and paid employees employed in sporting organisations generally fall under the 'churches, clubs and associations' category of regulated employment. Volunteers and paid employees employed in private businesses may fall under the 'sport and active recreation' category of regulated employment. The check is a detailed national criminal history check including charges and investigations relating to children.**

Police Officers and registered teachers do not need to apply for a blue card when providing child related services that fall outside of their professional duties. They should however apply to the Commission for an exemption card.

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

As a result of changes and improvements to the blue card system as at the 1st of April, 2011 and 1st July, 2011 more people will be screened and have their criminal histories monitored. State Government employees and volunteers who work with Children will now be screened through the Commission. It will be compulsory for employers/organisations to notify the Commission if they employ someone who already holds a blue card.

A blue card remains current for two years. Existing card holders will be notified by the Queensland Commission for Children and Young People and Child Guardian before their card expires. It is important to note that Blue Cards issued for applicants received after 1 April 2010 will now be valid for three years, instead of two. Volunteers who are under 18 years of age do not require a Blue Card; however, employees under 18 years of age do require a blue card. In addition to obligations regarding the blue card, **employers** must develop and implement a written child protection risk management strategy and review it each year.

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

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

2. NEW SOUTH WALES

The *Commission for Children and Young People Act 1998* (NSW) provides minimum standards for those who work with children. All organisations within NSW that employ people in child-related employment (in a paid or unpaid capacity) must meet the requirements of the Working with Children Check (WWCC). Child related employment is defined as work which primarily involves direct unsupervised contact with children. Applicants applying for paid positions need to sign a Background Check Consent Form, and then submit a Background Check Request Form to the approved screening agency for them to conduct the WWCC. The WWCC involves two elements:

1. **Excluding** people with convictions for serious sex and violence crimes against children; and
2. **Background checking** for preferred applicants for primary child-related employment, ministers of religion and authorised carers
3. **Ensuring** all paid and unpaid employees sign a [Prohibited Employment Declaration](#) which states that they are not prohibited from working with children.
4. **Submitting** all applicants for **paid** employment to NSW Sport and Recreation for a WWCC background check. NSW Sport and Recreation only carries out checks for paid employees.
5. **Reporting** relevant employment proceedings for any paid and unpaid employees to the Commission for Children and Young People. A relevant employment proceeding involves any reportable conduct committed outside of work as well as in the workplace with or in the presence of a children.

If you need to do the WWCC, you will need to register with the appropriate Approved Screening Agency. Approved Screening Agencies are the agencies appointed by the Government to carry out the WWCC. As of the 1st of March 2010 the Approved Screening Agency functions at Sport and Recreation were moved to the NSW Commission for Children and Young People.

Sporting organisations are responsible for managing the WWCC process. Individuals cannot apply for a WWCC directly. Sporting organisations should register with the **NSW Commission for Children and Young People** providing a contact who will receive the information on the background checks. It is important to note that there are now new online forms for the WWCC and also clearer online employer guidelines.

Under the relevant NSW Child Protection Legislation all paid and unpaid applicants for child-related employment need to sign a Prohibited Employment Declaration, which confirms that they are not a prohibited person. No one should be employed in child-related employment who refuses to sign the Prohibited Employment Declaration.

Background checks are currently not available for volunteers. Volunteers must certify they are not convicted of serious sex or violence offences that prohibit them from child-related employment. From May 2010, it has been compulsory for self-employed people in child-related employment to hold a certificate which confirms that they are not a prohibited person.

People not eligible for the WWCC can apply for a National Police Check through NSW Police (visit: www.police.nsw.gov.au/).

Any relevant employment proceedings should be reported to the Commission for Children and Young People for any paid and unpaid employees. A relevant employment proceeding involves any inappropriate conduct with or in the presence of a child or children.

The Act does not stipulate an age at which WWCC become mandatory for employees in child-related employment, so all employees in such settings, including people under 18 years of age, are required to obtain a WWCC.

A WWCC is valid for employment in that position within the organisation. Short-term employees (where that person is being employed for periods of less than six months and returning for short periods throughout a 12 month period) only need to be checked **once** every 12 months. People returning from leave into the same child-related employment do not need to be re-checked. Existing employees are only checked if they are recruited to a new position with a different range of child-related contact, within the organisation.

For more information, including the required forms, visit:

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

3. WESTERN AUSTRALIA

The Working with Children Check (WWCC) is a compulsory and rigorous criminal record check for certain people who carry out 'child-related work' in Western Australia (WA). The *Working with Children (Criminal Record Checking) Act 2004* (the Act) aims to protect children from harm by providing a high standard of compulsory national criminal record check for people wishing to work in paid or unpaid child-related work or volunteer child-related work in WA.

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

Applicants will be issued with either:

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

There are set obligations and strong penalties for non-compliance including for employers and volunteer co-coordinators that engage persons who do not possess a valid WWCC Card.

It is an offence for employers, volunteer organisations and education providers to engage in child-related work without a Working with Children Card. It is also an offence for employees, volunteers and students to carry out child-related work without doing so. The Act provides a five day grace period in most cases to provide reasonable flexibility and allow for unforeseen circumstances.

Additionally, WWCC are only concerned with child-related offences, therefore employers may require that employees or volunteers obtain both a WWCC Check and a National Police Check. Information on obtaining a National Police Check can be obtained from the WA police (visit: www.police.wa.gov.au/).

For more information, visit:

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

4. VICTORIA

The Working with Children Check (WWCC) creates a mandatory minimum checking standard across Victoria. The *Working with Children Act 2005* requires that some people who work or volunteer in child-related work require a WWCC. The WWCC are valid for five years and must be renewed if you intend to continue to undertake 'child-related work' after your WWCC card expires. Should you require a WWCC card, you must apply for a WWCC card by the 30th of June 2011.

The check involves a national police records check and a review of relevant findings from prescribed professional disciplinary bodies (currently only the Victorian Institute of Teaching). There is an exemption for volunteers whose own children are involved in the particular activity; however they should still be required to complete the screening process.

A person who has no criminal or professional disciplinary history will be granted an *Assessment Notice*. This notice will entitle the person to undertake child-related work in Victoria and is valid for five years (unless revoked). As of the 1st of December, 2010 the *Assessment Notice* became the WWCC Card and not the A4-Style Assessment Notice. Cardholders can now show employers and organisations who employ them in 'child-related work', the card itself, as legal proof that they have passed the Check. A person deemed unsuitable to work or volunteer with children will be given a *negative notice* and cannot work in child-related work in Victoria.

Card holders do not need to apply for a new WWCC when they change their employer or volunteer organisation, unless they are moving from volunteer status to paid work status.

People under 18 years of age do not require a WWCC.

Police Checks can also be obtained via Victoria Police (visit: www.police.vic.gov.au/)

For more information, visit:

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

5. SOUTH AUSTRALIA

In South Australia the requirement to conduct criminal history assessments for people working with children is being phased-in over three years.

For recreation and sporting organisations this requirement commences from 1 January 2012 and is to be completed by 31 December 2013.

The obligation to conduct the Criminal History Assessment rests with the organisation providing the service. NSO/organisations who provide services wholly or partly for children in South Australia therefore must comply with this requirement, so must include these requirements in their MPP documentation

The NSO/organisation may conduct a criminal history assessment themselves or apply to a third party (such as the state sporting body for an assessment and letter of clearance).

Assessments required for prescribed positions

All staff and volunteers who occupy a prescribed position (as set out under section 8B (8) of the South Australian *Children's Protection Act 1993*) are required to undergo a criminal history assessment once every three years unless an exemption applies. (see below)

Criminal history assessments are also required prior to the appointment of new staff or volunteers to prescribed positions.

This includes all people who regularly work with or around children in an unsupervised capacity or have access to children's records.

Procedure for conducting criminal history assessments

A National Police Check (NPC) from South Australia Police will be required for all persons taking on a role in a prescribed position prior to their appointment and then at three yearly intervals or as requested by the board.

For many volunteers the cost for this application will be covered under the Volunteer Organisation Authorisation number (VOAN) through the governing body/SSO.

South Australia Police require the explicit written consent of the applicant prior to the release of criminal history information. The NPC application form is available from http://www.police.sa.gov.au/sapol/services/information_requests/national_police_certificate.jsp.

On receipt of the NPC the applicant must present the letter for viewing and recording to AVF or the Member State.

Where a person has no disclosable criminal history, the assessment is successfully completed and no further action in respect to an assessment is required.

Where an individual does have a criminal history, the AVF/Member State must assess this information in accordance with Standard 5 of the ***Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children***. <http://www.dcsi.sa.gov.au/pub/Default.aspx?tabid=281>

Each assessment is conducted on its individual merits and with consideration to the inherent requirements of the position. As required by **the *Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children***, principles of procedural fairness and natural justice are applied throughout the decision-making process and the individual is provided an opportunity to confirm or dispute the information contained within the report and to provide contextual information for consideration during the assessment process.

Criminal history information will not be retained once a decision has been made regarding the person's suitability to work with children. No criminal history information will be retained beyond three months.

In accordance with its legal requirements, the organisation will retain the following information regarding its decision:

- That a criminal history report was obtained
- How the criminal history information affected decision making processes
- Statutory declarations (where applicable)

The AVF/Member State may obtain a further criminal history assessment for a staff member or volunteer at any time that they believe it necessary or desirable for the purpose of maintaining a child safe environment.

New applicants for employment, membership and volunteer positions will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish before the assessment is conducted.

The AVF/Member State will communicate to the applicant the decision not to employ or engage them or to accept their application for membership. They will not be provided with the reasons for this decision.

There will be no appeal to this decision.

Other evidence

Where appropriate, the AVF/Member State may utilise a number of forms of evidence (obtained within the last three years) to assess a person's suitability to work with children. This includes:

- A National Police Certificate that does not expressly state that it cannot be used as a clearance to work with children
- A letter of clearance to work with children from the Department for Families and Communities Screening Unit
- A valid and current interstate working with children check.

Acceptance of other forms of evidence is at the discretion of the AVF/Member State and is subject to the person completing a 100-point check to confirm the true identity of the applicant.

The AVF/Member State may also at its discretion seek a statutory declaration for any *employee(s)* or *volunteer(s)* who have been citizens or permanent residents of another country other than Australia since turning 18 years of age.

Exemptions from the requirement to conduct criminal history assessments

In accordance with guidelines the AVF/Member State has agreed to exempt the following persons from the requirement to undertake a criminal history assessment, unless that person is also involved in a function or event conducted by the AVF/Member State its affiliated associations or clubs which involves the care of children in overnight accommodation.

- A person volunteering in an activity in which their child ordinarily participates;
- A person who volunteers who is less than 18 years of age;
- A person working or volunteering for a short-term event or activity of less than 10 days duration or for no more than 1 day in any month;
- A person occupying a position in which all work involving children is undertaken in the physical presence of the child's parents or guardians and in which there is ordinarily no physical contact with the children;
- A person who undertakes, or a position that only involves, work that is primarily provided to adults or the community generally and is not provided to any child on an individual basis;
- An organisation that provides equipment, food or venues for children's parties or events but does not provide any other services to children;
- A person who has regular contact with a child as part of an employment relationship with that child (such as a person working alongside a child or supervising an employee who is a child);
- A person who is appointed as a police officer or is a registered teacher. (Police officers and teachers are already subject to comprehensive criminal history assessments as a prerequisite for employment).

For more information, visit:

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

6. NORTHERN TERRITORY

The *Care and Protection of Children Act 2007* (NT) highlights a number of initiatives the Northern Territory Government has designed to help keep children safe and prevent harm and exploitation of children, amongst other things.

From 1 July 2011, it will be mandatory for employees and volunteers aged 15 years and over who have contact or potential contact with children to hold a Working with Children Clearance (WWCC) Notice. Clearance Notices are designed to keep children safe by preventing those who pose a risk to the safety of children from working with them, in either paid or volunteer work. People who receive a WWCC Notice will receive an Ochre Card which acts as proof that you hold a WWCC Notice.

The Children Clearance Screening has three components:

1. A National Police Records Check;
2. Employment History; and
3. Other material

It is the responsibility of the person who wants to work or volunteer with children to apply for the WWCC Notice and ensure that it remains valid.

From the 1st of July, 2011, penalties will apply to people who gain employment in “child related” work without the WWCC Notice.

In some cases there will be people who will not require a WWCC Notice, Individual organisations may also have their own policies that require people working with children and young people to undergo a Police Check. The Northern Territory Police Department provides information on obtaining Police Checks (visit: www.pfes.nt.gov.au)

For more information, visit:

- 1800 SAFE NT (1800 723 368)
- <http://www.workingwithchildren.nt.gov.au>.

7. AUSTRALIAN CAPITAL TERRITORY

There is no formal legislation or relevant screening program in the ACT. Individual employers may require police checks at their discretion.

There are no legal statutes that require people working with children to undergo a police check. However, services contracted to the Government are required to employ “fit and proper” people. This is interpreted as a requirement to obtain a National Police Check. The Australian Federal Police provide National Police Checks for residents in the ACT.

For more information including forms and fees, visit:

- www.aifs.gov.au
- www.afp.gov.au/what-we-do/police-checks/national-police-checks.aspx>

8. TASMANIA

Similar to the ACT, there is no formal legislation or relevant screening program in Tasmania. Individual employers may require police checks at their discretion.

A screening program does exist for persons engaged in the childcare industry. It is a requirement of the Department of Education that safety screening is undertaken for the following:

- Child care staff;
- Home base child carers; and
- Volunteers and students, including those under 18 years of age.

A Working with Children and other Vulnerable People Policy will be finalised and submitted for consideration of the Government and its anticipated legislation will be introduced into the Tasmanian Parliament in 2011. It is expected that the working with children checks will be phased in over five years commencing in 2011.

Police Checks can be obtained from the Tasmanian Police Department (visit: www.police.tas.gov.au/)

For more information visit:
www.aifs.gov.au
www.education.tas.gov.au

PART C: PROCEDURES

To ensure due process, consistency and that the principles of natural justice are followed in all aspects of handling or conducting complaints, allegations, investigations, tribunals and disciplinary measures, the AVF will follow and implement the following procedures.

Attachment C1: Complaints Procedure

1. Complaint Resolution Procedure

- (a) Any person or organisation may make a complaint about a person or organisation to whom this Policy applies, if they consider that a person or organisation has, or may have, committed a breach of any part of this Policy ("**Complaint**").
- (b) The Complaint always belongs to the person or organisation that has made the Complaint ("**complainant**") and he/she/it will determine how their Complaint is dealt with. It will not be divulged to another person without the complainant's agreement, except in the case where a person is required by law to report the matter to governmental authorities (for example, in the case of suspected child abuse).

2. Informal Complaint Resolution Procedure

- (a) It is not necessary to provide a written Complaint under this clause.
- (b) A complainant may seek to resolve the Complaint informally. The complainant **may** make an initial approach to:
 - (i) a MPIO of AVF or a Member State;
 - (ii) the Chief Executive Officer or in their absence their Nominee; or
 - (iii) another appropriate person within the organisation (eg team manager, coach etc).
- (c) If the person approached is a MPIO, they may:
 - (i) listen to and inform the complainant about their possible options; and/or
 - (ii) act as a support person for the complainant, including supporting them through any mediation process undertaken to resolve the Complaint.
- (d) The MPIO will:
 - (i) keep the matter confidential and only discuss it with those people whom the complainant has authorised them to speak to about the Complaint; however,
 - (ii) he/she will inform the relevant governmental authority, if required by law.
 - (iii) on further investigation, decide to take no further action as the complaint is either improper, insignificant, vexatious or has been adequately dealt with through informal or other processes.

- (e) If the complainant wishes to try and resolve the Complaint by mediation, the MPIO will arrange for a mediator (either the Mediator of AVF, the relevant Member State, or a relevant third person) to mediate the Complaint.
- (f) The Mediator shall:
 - (i) notify the person complained about that an informal Complaint has been made and provide them with details of the Complaint; and
 - (ii) attempt to mediate a resolution between the complainant and the person complained about.
- (g) If an agreed resolution is reached between the complainant and the person complained about, the Complaint shall be deemed to have been withdrawn and no further action in relation to that Complaint may be taken (except for that which is agreed) under this Policy.
- (h) If the Complaint is not resolved informally following this process, the complainant may make a formal Complaint as set out below.
- (i) Nothing in this Policy prevents the complainant taking action under federal or state legislation.

3. Formal Complaint Resolution Procedure

- (a) In order for a Complaint to be dealt with in accordance with this clause, a Complaint must be made in writing (however it need not be called or referred to as a Complaint).
- (b) A written Complaint must be made to one of the following people:
 - (i) a MPIO of AVF or the relevant Member State. (A list of the MPIOs must be made available to any person requesting such list and shall be displayed at the premises of AVF, Member States and State Affiliates); or
 - (ii) the Chief Executive Officer or in their absence their Nominee, of AVF or the relevant Member State.
- (c) If a person listed in clause 3(b) above receives a Complaint then they must do the following:
 - (i) if such person is not a MPIO, they shall forward such Complaint as soon as possible to a MPIO at either AVF or the Member State, whichever organisation the person complained about holds the highest role.
 - (ii) the MPIO must then ask the complainant whether s/he wishes them to:
 - A. listen to and inform the complainant about their possible options; and/or

- B. act as a support person for the complainant, including supporting them through any mediation process undertaken to resolve the Complaint; and/or
 - C. refer the Complaint to the Hearings Convenor at AVF or the relevant Member State, whichever organisation the person complained about holds the highest role, for a hearing to be held under the procedure in Attachment C4 (if mediation is not a relevant/appropriate option).
- (d) Having determined the complainant's wishes in clause 3(c)(ii), the MPIO will:
- (i) act in accordance with the complainant's direction in relation to the options set out in clause 3(c)(ii);
 - (ii) subject to clause 3(d)(iii), keep the matter confidential and only discuss it with those people whom the complainant has authorised them to speak to about the Complaint; and
 - (iii) inform the relevant governmental authority, if required by law.
 - (iv) on further investigation, decide to take no further action as the complaint is either improper, insignificant, vexatious or has been adequately dealt with through informal or other processes.
- (e) If the complainant wishes to try and resolve the Complaint by mediation, the MPIO shall immediately notify the Mediator of AVF or the Member State that a Complaint has been made and provide them with a copy of the written Complaint. If an attempt to mediate was made under clause 2(f), the Mediator under this clause cannot be the same person.
- (f) The Mediator shall:
- (i) notify the person complained about, in writing, that a Complaint has been made and provide them with a copy of the written Complaint; and
 - (ii) attempt to mediate a resolution between the complainant and the person complained about.
- (g) If an agreed resolution is reached between the complainant and the person complained about, the Complaint shall be deemed to have been withdrawn and no further action in relation to that Complaint may be taken (except for that which is agreed) under this Policy.
- (h) If following the process above an agreed resolution is not reached then, with the complainant's agreement, the Mediator shall refer the Complaint to the Hearings Convenor at AVF or the relevant Member State, whichever organisation the person complained about holds the highest role, for a hearing to be held under the procedure in Attachment C4.

- (i) If a complainant withdraws the Complaint, no further action in relation to that Complaint may be taken (unless required by law) under this Policy.
- (j) For the avoidance of doubt, any Complaint relating to a State Affiliate, shall be referred to the MPIO and/or Hearings Convenor of the Member State.
- (k) Nothing in this Policy prevents the complainant taking action under federal or state legislation.

4. External procedure

- (a) There may be a range of external options available to you depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from your State or Territory equal opportunity commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be a type of harassment that comes within its jurisdiction, you may then make a decision as to whether or not to lodge a formal complaint with the commission.
- (b) Once a complaint is received by an anti-discrimination commission, an investigation will be conducted. If it appears that unlawful harassment or discrimination has occurred, there will usually be an attempt to conciliate the complaint confidentially first. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made as to whether unlawful harassment or discrimination occurred. The tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred.
- (c) An anti-discrimination commission can decline to investigate a complaint, or dismiss a complaint at any point in the investigation, conciliation or public hearing stages.
- (d) If you do lodge a complaint under anti-discrimination law, you may use an appropriate person (e.g. an MPIO) as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

Attachment C2: Investigation Process

If a Complaint is not received, but the Chief Executive Officer or in their absence their Nominee, or a MPIO of AVF or a Member State receives information (whether or not in writing) which gives them reasonable cause to suspect that a breach of this Policy may have been committed, then he or she shall use their reasonable endeavours to advise the person who is suspected of being subject to Harassment, of the complaints procedures under this Policy.

Except as otherwise provided in this Policy, all information obtained by the Chief Executive Officer or in their absence their Nominee, or a MPIO of AVF or a Member State in accordance with this clause must be kept confidential.

If an investigation needs to be conducted the following steps should be followed where relevant:

1. A written brief will be provided to the investigator to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.
2. The complainant will be interviewed and the complaint documented in writing.
3. The details of the complaint will be conveyed to the person/people complained about (respondent(s)) in full. The respondent(s) must be given sufficient information to enable them to properly respond to the complaint.
4. The respondent(s) will be interviewed and given the opportunity to respond. The respondent(s) response to the complaint will be documented in writing.
5. If there is a dispute over the facts, then statements from witnesses and other relevant evidence will be obtained to assist in a determination.
6. The investigator will make a finding as to whether the complaint is:
 - substantiated (there is sufficient evidence to support the complaint);
 - inconclusive (there is insufficient evidence either way);
 - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - mischievous, vexatious or knowingly untrue.
7. A report documenting the complaint, investigation process, evidence, finding and, if requested, recommendations, will be given to the relevant person/tribunal.
8. A report documenting the complaint and summarising the investigation process and key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous will be provided to the complainant and the respondent(s).
9. Both the complainant and the respondent(s) are entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).
10. The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Information on our appeals process is in Attachment C4.

Attachment C3: Investigation Procedure: Child Abuse

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. The initial response to a complaint that a child has allegedly been abused should be immediate if the incident/s are serious or criminal in nature while less serious/urgent allegations should be actioned as soon as possible, preferably within 24 hours.

The following is a basic outline of the key processes to follow. More information can be obtained from your relevant State or Territory government agency.

Step 1: Clarify basic details of the allegation

- Any complaints, concerns or allegations of child abuse should be made or referred to the MPIO and where state legislation applies, to the appropriate authorities.
- The MPIO should seek advice from the police and relevant government agency as to whether the AVF/Member State should carry out its own internal investigation (in addition to or in conjunction with any police or relevant government agency investigation).
- The initial response of the person that receives the complaint from the child (or person on behalf of the child) is crucial to the well-being of the child. It is important for the person receiving the information to:
 - listen to, be supportive and do not dispute what the child says;
 - reassure the child that what has occurred is not the fault of the child;
 - ensure the child is safe;
 - be honest with the child and explain that other people may need to be told in order to stop what is happening; and
 - ensure that what the child says is quite clear but do not elicit detailed information about the abuse. You should avoid suggestive or leading questions.
- The person receiving the complaint should obtain and clarify basic details (if possible) such as:
 - child's name, age and address;
 - person's reason for suspecting abuse (observation, injury or other); and
 - names and contact details of all people involved, including witnesses.

Step 2: Report allegations of a serious or criminal nature

- Any individual or organisation to which this policy applies, **should immediately report any incident of a serious or a criminal nature to the police and other appropriate authority.**

- If the allegation involves a child at risk of harm, the incident should immediately be reported to the police or other appropriate government agency. You may need to report to both the police and the relevant government agency.
- The relevant State or Territory authority should be contacted for advice if there is **any** doubt about whether the complaint should be reported.
- If the child's parent/s are suspected of committing the abuse, report the allegation to the relevant government agency.

Step 3: Protect the child

- The MIPO should assess the risks and take interim action to ensure the child's/children's safety. Some options that the AVF could implement include redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined. Please be aware it is not the MPIO's role to actually undertake action such as redeploying someone – an MPIO should only recommend possible actions.
- The MIPO should also address the support needs of the person against whom the complaint is made. Supervision of the person should ideally occur with the knowledge of the person. If stood down, it should be made clear to all parties that are aware of the incident that this does not mean the person is guilty and a proper investigation still needs to be undertaken.

Step 4: Further clarify and investigate allegation

- Seek advice from the police and relevant government agency as to whether the AVF/Member State should carry out its own internal investigation (in addition to or in conjunction with any police or relevant government agency investigation).
- If the police and/or relevant government agency advises that it is appropriate, then appoint an independent person (where possible) with appropriate expertise to conduct an investigation. The investigator should:
 - Contact the parents/carers of the child at an appropriate time and as directed by the police or relevant government agency.
 - If appropriate, meet with parents/carers and the child to clarify the incident and offer support on behalf of AVF/Member State if required (example, professional counselling).
 - Meet with the person against whom the allegation refers at an appropriate time and as directed by the relevant authority and give the person an opportunity to explain or respond to the allegation and identify any witnesses and supporting evidence. The person should have an opportunity to invite a support person/adviser to attend at a meeting and should be offered support (example, professional counselling) if necessary.
 - Obtain a signed statement and record of interview from the person.
 - Make contact with any witnesses and obtain written and signed statements outlining details of the allegation (what happened, when, how). This should only occur following advice from the relevant authority.

- Obtain other information that could assist in making a decision on the allegation.
- The information collected during the investigation should be made available to the relevant authorities.
- Strict confidentiality, impartiality, fairness and due process must be maintained at all times.

Step 5 – Record and analyse all information

- If an internal investigation was conducted under Step 4, the investigator will provide a report to the Chief Executive Officer or in their absence their Nominee.
- The decision-maker(s) will be the nominee of the AVF Board/Member State, and will remain separate and at arm's length from the investigator.
- The decision-maker will consider all the information and determine a finding. It will also recommend action and its rationale for the action.

Step 6: Undertake disciplinary action

- For incidents of a serious or criminal nature, consideration must be given to the findings of the police and/or the government agency before making a decision on disciplinary proceedings.
- If disciplinary action is to be taken, follow the procedures outlined in Attachment C5 of the policy.
- Implement any disciplinary decision recommended. The action should be immediate.
- Check with the relevant state government authority to see if you need to forward a report (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).

Attachment C4: Hearings & Appeals Tribunal Procedure

1. Hearings

- (a) Where the Hearings Convenor at AVF or a Member State receives a Complaint referred to it under Attachment C1, he or she shall follow the procedures set out in this clause.
- (b) Upon receipt of the Complaint, the Hearings Convenor shall as soon as possible do the following:
- (i) Determine the composition of the Hearings Tribunal, as detailed in clause 1(c) below.
 - (ii) Send to the person complained about:
 - A. a notice setting out the alleged breach including details of when/where it is alleged to have occurred;
 - B. a notice setting out the date, time and place for the hearing of the alleged breach which shall be as soon as reasonably practicable after receipt of the Complaint; and
 - C. a copy of the Complaint, ("**Notice of Alleged Breach**").
 - (iii) Send to the complainant(s) and the chairperson of the Hearings Tribunal a copy of the Notice of Alleged Breach.
- (c) The Hearings Tribunal for each hearing shall be appointed by the AVF Board or the relevant Member State and shall comprise of the following persons:
- (i) A barrister or solicitor (who shall be the "**chairperson**") or, if after reasonable attempts have been made to obtain one without success, then a person with considerable previous experience in the legal aspects of a disciplinary/hearings tribunal;
 - (ii) a person with a thorough knowledge of the sport; and
 - (iii) one other person of experience and skills suitable to the function of the Hearings Tribunal, **provided that** such persons do not include:
 - A. a person who is a member of the Board (however described) of the organisation which appoints the Hearings Tribunal; or
 - B. a person who would, by reason of their relationship with the complainant or the person complained about, be reasonably considered to be other than impartial.
- (d) Frivolous, vexatious or malicious Complaints:

- (i) If within 48 hours of sending the Notice of Alleged Breach, the person complained about alleges in writing to the Hearings Convenor that the Complaint is frivolous, vexatious or malicious, the chairperson shall as a preliminary issue, determine whether or not such Complaint is frivolous, vexatious or malicious and shall advise the parties of his or her determination.
 - (ii) The Hearings Convenor shall provide to the other parties to the hearing (see clause 1(f)) a copy of the written allegation made by the person complained about, that the Complaint is frivolous, vexatious or malicious.
 - (iii) The chairperson shall determine such preliminary issue as soon as practicable and in whatever manner the chairperson considers appropriate in the circumstances provided that he or she does so in accordance with the principles of natural justice.
 - (iv) The decision of the chairperson under this clause 1(d) may be appealed within 48 hours of the determination to the relevant appeal body under clause 2 below.
- (e) The Hearings Tribunal shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) provided that it does so in accordance with the principles of natural justice. The purpose of the hearing shall be to determine whether the person complained about has committed a breach of this Policy. If the Hearings Tribunal considers that the person complained about has committed a breach of this Policy, it may impose any one or more of the penalties set out in Attachment C5.
- (f) The parties to the hearing shall include the complainant, the person complained about and the relevant organisation (being AVF, the relevant Member State or the relevant Affiliated Club) and any witnesses which the Hearings Tribunal considers necessary to participate in the hearing.
- (g) If upon receipt of the Notice of Alleged Breach, the Hearings Tribunal considers that pending the determination of the matter the person complained about may put at risk the safety and welfare of the complainant or others, it may order that the person complained about be:
- (i) suspended from any role they hold with AVF, the relevant Member State or the relevant Affiliated Club;
 - (ii) banned from any event or activities held by or sanctioned by AVF, the Member States and/or the State Affiliates; and/or
 - (iii) required not to contact or in any way associate with the complainant or other person about whom the alleged breach relates,
- pending the determination of the hearing.
- (h) There is no right of appeal of the decision by a Hearings Tribunal under clause 1(g).

- (i) No party to the hearing may be represented by a barrister or solicitor. However the chairperson of the Hearings Tribunal may grant leave for a party to the hearing to be represented by a barrister or solicitor where their livelihood or proprietary is at risk. A party may be represented by an advocate who is not a barrister or solicitor at the hearing.
- (j) Each party to the hearing shall bear their own costs in relation to the hearing.
- (k) The Hearings Tribunal shall give its decision as soon as practicable after the hearing and the Hearings Convenor will deliver to the following a statement of the written reasons:
 - (i) the complainant;
 - (ii) the person complained about; and
 - (iii) any other party represented in the hearing.
- (l) Each member of each Hearings Tribunal established under this Policy shall be indemnified by the organisation which appointed them, from any claim or action for loss, damages, or costs made against them arising out of, or in connection with, their function as a member of the Hearings Tribunal under this Policy.
- (m) Except as otherwise provided in this Policy, all members of the Hearings Tribunal shall keep all matters relating to the hearing (including but not limited to the nature of the Complaint, information obtained before and during the hearing and the decision of the Hearings Tribunal) confidential.
- (n) To the extent of any inconsistency between the hearing procedure set out in the AVF Constitution and the Member States and the hearing procedure set out in this Policy, this Policy shall prevail in relation to all Complaints under this Policy.

2. How can a decision be appealed?

- (a) The person complained about may appeal a decision of a Hearings Tribunal on the grounds that natural justice has not been provided.
- (b) An appeal shall be made to the following appeal body:
 - (i) an appeal against a decision of a Hearings Tribunal established by a Member State, shall be made to the Hearings Tribunal of AVF. Subject to the discretion of the chairperson of the Hearings Tribunal, all appeals to AVF shall be heard at a location nominated by AVF; and
 - (ii) an appeal against a decision of a Hearings Tribunal established by AVF, shall be made to the appeal division of the Court of Arbitration for Sport (Oceania Registry) ("CAS"),
 (referred to as the "**Appeal Body**").

- (c) There is only one right of appeal following the decision of the initial Hearings Tribunal. Any appeal must be solely and exclusively resolved by the Appeal Body and the decision of such Appeal Body is final and binding on the parties. It is agreed that no party to such appeal may institute or maintain proceedings in any court or tribunal other than the relevant Appeal Body. **Note: This provision does not prevent any person or organisation taking separate action under federal or state legislation.**
- (d) The process for such appeal is as follows:
 - (i) the party wishing to appeal ("**Appellant**") shall within 72 hours of the Hearings Tribunal delivering its decision:
 - A. in the case of an appeal to AVF, advise in writing the Hearings Convenor of AVF of their intention to appeal ("**Notice of Intention to Appeal**");
 - B. in the case of an appeal to CAS, complete and file an application to appeal with CAS in accordance with the Code of Sports Related Arbitration;
 - C. for an appeal to the AVF, as soon as possible after receipt of the Notice of Intention to Appeal, the Hearings Convenor of AVF shall appoint a Hearings Tribunal to hear and determine the appeal, which shall comprise of persons in accordance with clause 1(c) above; and
 - D. within 5 days of lodging the Notice of Intention to Appeal, (or such shorter time as determined by the Appeal Body if there is urgency) the Appellant shall:
 - (ii) pay the appeal fee to the Hearings Convenor of AVF, which shall be \$110.00 (including GST) which is non-refundable, or in the case of an appeal to CAS, the fee as per the Code of Sports-Related Arbitration applicable to CAS; and
 - (iii) submit to the Hearings Convenor of AVF or CAS (as the case may be) four written copies of the grounds of appeal. The Hearings Convenor of AVF shall provide a copy of the grounds of appeal to the other party, to the Hearing Convenor of the organisation which established the Hearings Tribunal who made the decision which is the subject of the appeal and the chairperson of the Appeal Body.
- (e) If either of the requirements in this sub-clause are not met by the due time the appeal shall be deemed to be withdrawn.
- (f) On completion of the procedures in (d), the Hearings Convenor of AVF or the chairperson of CAS (as the case may be) shall determine a place, time and date for the hearing of the appeal and as soon as possible thereafter notify all parties to the appeal in writing of such details.
- (g) The procedure for the appeal shall be the same as the procedure for the Hearings Tribunal set out in section 1 of this attachment C4 except where the Appeal Body is CAS, in which case the Code of Sports-Related Arbitration shall apply.

- (h) The Appeal Body may reject an appeal on the basis that the grounds of appeal are not satisfied.
- (i) Upon hearing the appeal, the Appeal Body may do any one or more of the following:
 - (i) dismiss the appeal;
 - (ii) uphold the appeal;
 - (iii) impose any of the penalties set out in Attachment C5; and/or
 - (iv) reduce, increase or otherwise vary any penalty imposed by the initial Hearings Tribunal.
- (j) If the penalty imposed by the Appeal Body affects other organisations required to comply with this Policy, the Hearings Convenor of the Appeal Body shall as soon as possible notify in writing the relevant organisation of the penalty. Every organisation to which this Policy applies shall recognise and enforce any decision and penalty imposed by an Appeal Body under this Policy.
- (k) The Appeal Body has no power to award costs and each party shall bear their own costs in relation to any appeal.
- (l) To the extent of any inconsistency between the hearing appeal procedure set out in the AVF Constitution or the Member States and the hearing appeal procedure set out in this Policy, this Policy shall prevail in relation to all Complaints under this Policy.

Attachment C5: Disciplinary Measures

What Penalties may be Imposed?

1. **For breaches committed by organisations:** If the Hearings Tribunal considers that AVF, a Member State, a State Affiliate or any other organisation has breached this Policy, it may impose any one or more of the following penalties on such organisation:
 - (a) direct that any funding granted or given to it by AVF or a Member State cease from a specified date;
 - (b) impose a monetary fine for an amount determined by the Hearings Tribunal;
 - (c) impose a warning;
 - (d) recommend to AVF and/or the relevant Member State that its membership of such organisation be suspended or terminated in accordance with their applicable constitution;
 - (e) direct that any rights, privileges and benefits provided to that organisation by AVF or a Member State be suspended for a specified period and/or terminated;
 - (f) direct that AVF and Member States cease to sanction events held by or under the auspices of that organisation; and/or
 - (g) any other such penalty as the Hearings Tribunal considers appropriate.
2. **For breaches committed by individual persons:** If the Hearings Tribunal considers that an individual to whom this Policy applies has breached this Policy, it may impose any one or more of the following penalties on such person:
 - (a) direct that the offender attend counselling to address their conduct;
 - (b) recommend that AVF, the relevant Member State or the relevant Affiliated Club terminate the appointment of the role which the offender holds with such organisation;
 - (c) impose a monetary fine for an amount determined by the Hearings Tribunal;
 - (d) impose a warning;
 - (e) withdraw any awards, placings, records won in any competitions, activities or events held or sanctioned by AVF, a Member State or a State Affiliate;
 - (f) direct the offender to repay all or part of any financial assistance (excluding any fee for service, wages or expenses) given to them by any federal or state funding agency, AVF, a Member State, a State Affiliate or any other organisation which has provided funding; and/or
 - (g) any other such penalty as the Hearings Tribunal considers appropriate.

3. If an organisation or individual commits a second or subsequent breach under this Policy, then the Hearings Tribunal shall have regard to the previous breach, the penalty imposed and any other relevant factors, in imposing a penalty for the second or subsequent breach.
4. If the penalty imposed by the Hearings Tribunal affects other organisations required to comply with this Policy, the Hearings Convenor of the organisation from which the Hearings Tribunal is established shall as soon as possible notify the relevant organisations of the penalty.
5. Every organisation to which this Policy applies shall recognise and enforce any decision and penalty imposed by a Hearings Tribunal under this Policy.
6. When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by the organisation or person in the future may result in more serious form of discipline.
7. Factors to consider when imposing discipline
 - (a) The form of discipline to be imposed on an individual or organisation will depend on factors such as:
 - any difficulty that might arise in enforcing the penalty;
 - nature and seriousness of the behaviour or incidents;
 - in a case where action is taken concurrently with or in lieu of a resolution of a formal complaint, the wishes of the complainant;
 - if the individual concerned knew or should have known that the behaviour was a breach of the policy;
 - level of contrition of the respondent(s);
 - the effect of the proposed disciplinary measures on the respondent(s) including any personal, professional or financial consequences;
 - if there have been relevant prior warnings or disciplinary action; and/or
 - if there are any mitigating circumstances such that the respondent(s) shouldn't be disciplined at all or not disciplined so seriously.
 - (b) Any disciplinary measure imposed under this policy must:
 - observe any contractual and employment rules and requirements;
 - conform to the principles of natural justice;
 - be fair and reasonable;
 - be based on the evidence and information presented; and

- be within the powers of the relevant person or body to impose the disciplinary measure.

PART D: CODES OF CONDUCT**Attachment D1: General Code Of Behaviour**

As a person required to comply with this Policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by AVF, a Member State or a State Affiliate and in any role you hold within AVF, a Member State or a State Affiliate:

1. Respect the rights dignity and worth of others.
2. Be fair, considerate and honest in all dealing with others.
3. Be professional in, and accept responsibility for your actions.
4. Make a commitment to providing quality service.
5. 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.
6. Be aware of, and maintain an uncompromising adhesion to AVF standards, rules, regulations and policies.
7. Operate within the rules of AVF including national policies and guidelines which govern AVF and the Member States.
8. Understand your responsibility if you breach, or are aware of any breaches of this Code of Behaviour.
9. Do not use your involvement with AVF, a Member State or a State Affiliate to promote your own beliefs, behaviours or practices where these are inconsistent with those of AVF, the Member States or the State Affiliates.
10. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
11. Refrain from any form of abuse towards others.
12. Refrain from any form of harassment towards, or discrimination of, others.
13. Provide a safe environment for the conduct of the activity.
14. Show concern and caution towards others who may be sick or injured.
15. Be a positive role model.

Attachment D2: Administrator Code Of Conduct

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held by or under the auspices of AVF, a Member State or a State Affiliate and in any role as an administrator of AVF, a Member State or a State Affiliate:

1. Be fair, considerate and honest in all dealing with others.
2. Be professional in, and accept responsibility for your actions. Your language, presentation, manners and punctuality should reflect high standards.
3. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
4. Resolve conflicts fairly and promptly through established procedures.
5. Maintain strict impartiality.
6. Maintain a safe environment for you and others.
7. Be aware of your legal responsibilities.
8. Be a positive role model for others.

Attachment D3: Coach Code Of Conduct

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by AVF, a Member State or a State Affiliate and in your role as a coach of AVF, a Member State or a State Affiliate:

1. Operate within the rules and spirit of your sport, promoting fair play over winning at any cost
2. Encourage and support opportunities for people to learn appropriate behaviors and skills
3. Support opportunities for participation in all aspects of the sport
4. Treat each person as an individual
5. Display control and courtesy to all involved with the sport
6. Respect the rights and worth of every person regardless of their gender, ability, cultural background or religion
7. Respect the decisions of officials, coaches and administrators in the conduct of the sport
8. Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with people under the age of 18 years
9. Adopt appropriate and responsible behavior in all interactions
10. Adopt responsible behavior in relation to alcohol and other drugs, including tobacco
11. Act with integrity and objectivity, and accept responsibility for your decisions and actions
12. Ensure your decisions and actions contribute to a safe environment
13. Ensure your decisions and actions contribute to a harassment free environment
14. Do not tolerate harmful or abusive behaviors
15. Place the safety and welfare of the athletes above all else
16. Help each person (athlete, official etc) reach their potential - respect the talent, developmental stage and goals of each person and compliment and encourage with positive and supportive feedback
17. Any physical contact with a person should be appropriate to the situation and necessary for the person's skill development
18. Be honest and do not allow your qualifications to be misrepresented

Attachment D4: Participants Code Of Conduct

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by AVF, a Member State or a State Affiliate and in your role as participants of AVF, a Member State or a State Affiliate:

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

Attachment D5: Officials Code Of Conduct

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by AVF, a Member State or a State Affiliate and in your role as an official appointed by AVF, a Member State or a State Affiliate:

1. Operate within the rules and spirit of your sport, promoting fair play over winning at any cost
2. Encourage and support opportunities for people to learn appropriate behaviors and skills
3. Support opportunities for participation in all aspects of the sport
4. Treat each person as an individual
5. Display control and courtesy to all involved with the sport
6. Respect the rights and worth of every person regardless of their gender, ability, cultural background or religion
7. Respect the decisions of officials, coaches and administrators in the conduct of the sport
8. Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with people under the age of 18 years
9. Adopt appropriate and responsible behavior in all interactions
10. Adopt responsible behavior in relation to alcohol and other drugs
11. Act with integrity and objectivity, and accept responsibility for your decisions and actions
12. Ensure your decisions and actions contribute to a safe environment
13. Ensure your decisions and actions contribute to a harassment free environment
14. Do not tolerate harmful or abusive behaviors
15. Place the safety and welfare of the athletes above all else
16. Help each person (athlete, official etc) reach their potential - respect the talent, developmental stage and goals of each person and compliment and encourage with positive and supportive feedback
17. Any physical contact with a person should be appropriate to the situation and necessary for the person's skill development

18. Be honest and do not allow your qualifications to be misrepresented.
19. Place the safety and welfare of the athletes above all else.
20. Be consistent and impartial when making decisions.
22. Address unsporting behaviour and promote respect for all people.

Attachment D6: Parent/Guardian Code Of Behaviour

In addition to the General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by AVF, a Member State or a State Affiliate and in your role as a parent/guardian of a participants of AVF, a Member State or a State Affiliate:

1. Treat your child the same irrespective of them winning or losing.
2. Remember that your child participates in the sport of volleyball for their enjoyment not yours.
3. Try to have fun when you are around your children at competitions. Well-directed humour can be a great de-stressor.
4. Look relaxed, calm and positive on the sidelines.
5. Make friends with other parents at competitions.
6. Get involved in appropriate ways if your child or the coach behaves in unacceptable ways during competitions.
7. Let the coach do the coaching.
8. Understand that children will benefit from a break sometimes and that involvement in other sports is okay.
9. Be there when your child performs poorly. Be an understanding listener rather than a critic, judge and/or fixer.
10. Be prepared to give your child some space so that he/she can grow and develop as an independent person.
11. Let your child know that your love for them is not associated with their sporting performances.
12. Communicate with your child and ask them how they are really feeling about their sport and about competing in particular.
13. Occasionally let your child compete without you being there and hovering over them.
14. Emphasise the good things your child did in preparing for and during the competition.
15. Try to avoid:
 - Saying "we're competing today". Instead say "you're competing today". Give your child credit for accepting the responsibility of performing.
 - Getting too pushy or believe that you are indispensable. Let the coach do the coaching.
 - Living through your child's performances.

- Turning away when your child performs.
- Turning away when your child's behaviour is unsportsmanlike.
- Telling your child what he/she did wrong after a tough competition.
- Making enemies with your child's opponents or family during a competition.
- Making your child feel guilty by reminding them about all the time, money and sacrifices you are making for his or her sport.
- Thinking of your child's sporting performances as an investment for which you expect a return.
- Badgering, harassing or use sarcasm to motivate your child.
- Comparing your child's performances with those of other children.
- Forcing your child to go to training. If they are sick of training find out why and discuss it with them.

PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

The following information was updated in November 2011. It is subject to change at any time.

QUEENSLAND

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

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

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

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

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

NEW SOUTH WALES

Anyone who suspects, on reasonable grounds, that a child or young person is at risk of being neglected or physically, sexually or emotionally abused, should report it to Community Services.

Reasonable grounds is the standard that reporters must use in deciding whether or not to report to Community Services.

It does not mean that reporters are required to confirm their suspicions or provide solid proof before making a report. A useful rule of thumb is to consider whether another person, when faced with similar information, would also draw the same conclusion.

You can make a report by phoning the **Child Protection Helpline on 132 111** (TTY 1800 212 936) for the cost of a local call, 24 hours a day, 7 days a week.

WESTERN AUSTRALIA

If you are concerned about a child's wellbeing, [contact](#) the Department for Child Protection's district office closest to where the child lives or the [Crisis Care Unit](#) after hours.

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

If you make a report or disclose relevant information to the Department for Child Protection, there is legislative protection for the notifier. These are:

- Protection of identity - with some exceptions, your identity must not be disclosed without your consent. For further information, refer to section 240 of the *Children and Community Services Act 2004*
- Legal protection – you are not subject to legal liability under State law providing the information is provided in good faith.
- Professional protection – authorised disclosure of information cannot be held to constitute unprofessional conduct or a breach of professional ethics. As a result you cannot be disciplined by your professional body or incur any formal professional negative consequences at your workplace.

When you contact the Department, the Duty Officer will gather and record information that you provide and decide how best to respond. The type of information that the officer will gather includes:

- details about the child/young person and family
- the reasons you are concerned
- the immediate risk to the child
- whether or not the child or family has support
- what may need to happen to make the child safe
- your contact details, so that the officer can call you to obtain further information if required or to provide feedback.

You do not need to have all the details about the child or family when you contact the Department for Child Protection

For more information: <http://www.dcp.wa.gov.au/ChildProtection/>

VICTORIA

Some professionals such as doctors, nurses, police and school teachers are legally obliged to report suspected child abuse. In addition, any person who believes on reasonable grounds that a child needs protection can make a report to the Victorian Child Protection Service. It is the Child Protection worker's job to assess and, where necessary, further investigate if a child or young person is at risk of harm.

For more information: <http://www.dhs.vic.gov.au/>

SOUTH AUSTRALIA

Staff and volunteers who work with children are mandated notifiers and have a legal obligation to report any suspicion of child abuse and/or neglect that they may form in the course of their employment or volunteer activity based on reasonable grounds. This obligation extends to persons holding a management position whose duties include direct responsibility for, or direct supervision of the provision of services to children.

Reports are made to the CHILD ABUSE HELP LINE 13 14 78

A reasonable suspicion must be based on facts, for example:

- A disclosure of abuse by a child
- Professional judgement, based on the notifier's experience and observations

The organisation has an obligation to make each affected person aware of this legal obligation.

There is no obligation that recreation or sporting organisations require mandated reporters to undertake formal external training in the recognition of child abuse.

The law also stipulates that no person shall threaten or intimidate, or cause damage, loss or disadvantage to another person because that person has made a notification or proposes to make a notification pursuant to the *Children's Protection Act 1993*.

For more information: www.dcsi.sa.gov.au

NORTHERN TERRITORY

In the Northern Territory any person who believes that a child is being, or has been, abused or neglected is required by law to report their concerns.

Reports should be made to the 24 hour Centralised Intake Service by using the free-call phone number **1800 700 250**.

Remember, you do not need to prove abuse or neglect, you need only report your concerns. The Care and Protection of Children Act provides legal protection against civil or criminal liability for people who make reports in good faith.

The Act also makes it clear that making a report does not breach any requirements of confidentiality or professional ethics.

For more information: http://www.childrenandfamilies.nt.gov.au/Child_Protection/

AUSTRALIAN CAPITAL TERRITORY

Care and Protection services is responsible for facilitating coordination across government for the care and protection of children and young people. Care and Protection services and an After Hours service, provide a continuum of service delivery to children and young people considered 'at risk' of serious harm.

Care and Protection Services is authorised to collect personal information under the *Children and Young People Act 2008* to ensure the safety and wellbeing of children and young people in the ACT. The information collected may be disclosed to government and non government agencies (including but not limited to the Australian Federal Police, ACT Children's Court, the Family Court, Health and Education Directorates and community organisations) to assist in ensuring the safety and wellbeing of children and young people. Information identifying a person making a child protection report is treated with the highest confidentiality and will not be disclosed except where a Court orders the disclosure.

For more information: http://www.dhcs.act.gov.au/ocyfs/services/care_and_protection

TASMANIA

Most professionals who provide services to children and families in Tasmania are 'mandatory reporters' of child abuse, under the Children, Young Persons and their Families Act 1997. This includes, but is not limited to, the following groups:

- DHHS employees
- Child Care providers
- Dentists, dental therapists or dental hygienists
- Police officers and probation officers
- Psychologists
- Registered medical practitioners and nurses
- School principals and teachers
- Volunteers and employees of any organisation that provides health, welfare, education, care or residential services and which receives government funding.

To make an urgent notification about abuse or neglect to Child Protection Services, please ring 1300 737 639 at any time.

Child Protection Services prefer to talk to a notifier in order to aid them in gathering information. However, if it is after hours and you are a mandatory reporter, an online notification can also be made.

For more information: http://www.dhhs.tas.gov.au/children/child_protection_services

To assist in consistency and accuracy in following procedure and reporting on the issues covered by AVF's Policy, the following documents are to be used:

E1: Confidential Record of informal complaint – to be used by MPIOs or others who receive a complaint or allegation

E2: Confidential Record of Formal Complaint – to be used when a formal complaint is received by AVF/Member State

E3: Confidential Record of Child Abuse Allegation – to be used by MPIOs or others who receive complaints/allegations of child abuse

E4: Record of Mediation – to be used by those who conduct a mediation

E5: Record of Tribunal Decision

General principles to be followed when completing a report of a complaint:

- Treat all complaints seriously.
- Deal with complaints promptly, sensitively and confidentially.
- Maintain a calm attitude.
- Ask the complainant if they will consent to you taking notes.
- Write the description of the complaint /problem using the complainants own words (as much as is possible).
- Find out the nature of the relationship between the complainant and the person complained about (for example, coach/competitor, team members, etc) and if there is any relevant history.
- Take a note of the facts and do not pre-judge the situation.
- Ask the complainant whether they fear victimisation or other consequences.
- Find out what outcome the complainant wants and if they need any support.
- Ask the complainant how they want to the complaint to be dealt with under the policy.
- Keep the complaint confidential and do not disclose it to another person without the complainant's consent except if disclosure is required by law (for example, a report to government authorities) or if disclosure is necessary to effectively deal with the complaint.

Attachment E1: Confidential Record Of Informal Complaint

MPIO Name	Date: / /	
Complainant's Name	<input type="checkbox"/> Over 18	<input type="checkbox"/> Under 18
Role/status in volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Location/event of alleged issue		
Facts as stated by complainant		
Nature of complaint (category/basis/grounds)	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Religion <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Pregnancy <input type="checkbox"/> Physical abuse <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Child Abuse <input type="checkbox"/> Other	
Can tick more than one box		
Feelings expressed by complainant (completing this may help to separate emotional content from facts)		
What they want to happen to fix issue		

What information I provided	
What they are going to do now	

This record and any notes must be kept in a confidential place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to the Chief Executive Officer or in their absence their Nominee, of AVF or a Member State.

Attachment E2: Confidential Record Of Formal Complaint

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received: / /
Role/status in volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Name of person complained about	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status in volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (basis/grounds/category) Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection disupte <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Religion <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Pregnancy <input type="checkbox"/> Physical abuse <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Child Abuse <input type="checkbox"/> Other	
Methods (if any) of attempted informal resolution		
Support person (if any)		
Formal resolution procedures followed (outline)		

If investigated: Finding -	
If went to hearing tribunal: Decision - Action recommended -	
If mediated: Date of mediation - Were both parties present - Terms of Agreement - Any other action taken -	
If went to appeals tribunal: Decision Action recommended	
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve
Completed by	Name: Position in AVF/Member State: Signature: / /
Signed by:	Complainant: Respondent:

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

Attachment E3: Confidential Record Of Child Abuse Allegation

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

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

Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position in AVF/Member State: Signature: / /
Signed by	Complainant (if not a child)

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

Attachment E4: Record Of Mediation

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

Attachment E5: Record Of Tribunal Decision

Complainant's Name		Date Formal Complaint Received: / /
Role/status in volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Name of person complained about		
Role/status in volleyball	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other
Location/event of alleged issue		
Description of alleged issue		
Nature of complaint (basis/grounds/category)	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Religion <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Pregnancy <input type="checkbox"/> Physical abuse <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Child Abuse Other	
Methods (if any) of attempted informal resolution		
Support person (if any)		
Tribunal Members		
Tribunal Hearing Date and venue		
Tribunal Decision (attach report)		

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