



**Australian Independent Dirt Kart Association Inc.  
MEMBER PROTECTION POLICY**

**VERSION 2  
May 2021**

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## Preface

The safety and wellbeing of every member of AIDKA is integral to the future of our sport. Unfortunately, as no sporting organisation can deny the unfortunate prospect of encountering a discrimination or harassment issue, AIDKA Executive revised this Member Protection Policy at its May 2021 meeting. It will be revised at a maximum of every 5 years or if an incident occurs, to ensure it remains a relevant, practical tool that accurately reflects current legislation, organisational needs and relevant emerging issues.

The purpose of this Policy is to protect the health, safety and wellbeing of all AIDKA's members and those who participate in the activities of the Association. In addition, AIDKA also seeks to provide a safe environment for those participating in its activities. This Policy confirms that the Association will not tolerate harassment, discrimination, harm or risk of harm of those involved in its activities. The AIDKA Executive believes everyone who participates in the activities of the Association has the right to be treated with respect and dignity. They also have the right to have any complaints dealt with in a fair, confidential and sensitive manner and to be given the opportunity to be heard before any penalties are imposed.

## Signature of President

## Review history of AIDKA Member Protection Policy

<i>Version</i>	<i>Date reviewed</i>	<i>Date endorsed</i>	<i>Content reviewed/purpose</i>
<i>1</i>		<i>August 2017</i>	<i>• Adopted</i>
<i>2</i>	<i>May 2021</i>	<i>May 2021</i>	<i>• Reviewed &amp; adopted</i>

## **PART A: NATIONAL MEMBER PROTECTION POLICY**

### **1. Introduction**

“Australian Independent Dirt Kart Association Incorporated” was formed to achieve the following objectives:

- (a) to promote and advance the sport of kart racing on dirt
- (b) to promote fair and honourable practices and excellence in the sport
- (c) to promote positive cooperation between all members for the good of the sport
- (d) to act with other Associations and like sporting bodies to our mutual welfare
- (e) to promote and oversee dirt kart race meetings and other events for the benefit of the members
- (f) to do all such acts which, in the best considered opinion of the Association, protect the sport and guard the best interest of its members

AIDKA is committed to the safety and wellbeing of all participants in the sport. This includes all activities, and the policy covers breaches of our code of behaviour and inappropriate behaviour that may occur at practice, at meetings, in the club rooms, at social events organised or sanctioned by the club (or our district, regional, state or national body), on away and overnight trips, at working bees and any behaviour that brings or is likely to bring our club or sport into disrepute. It also covers behaviour where there is a reasonable belief of harm or risk of harm towards a child or young person.

### **2. Purpose of this policy**

This AIDKA Member protection policy (“policy”) aims to assist AIDKA (“our”, “us” or “we”) to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It sets out our commitment to ensure that every person bound by the policy is treated with respect and dignity free from discrimination, harassment, harm and risk of harm and protects the health, safety and wellbeing of those who participate in the activities of AIDKA. It also seeks to ensure that everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

The attachments to this policy describe the practical steps we will take to eliminate discrimination, harassment, harm or risk of harm to a child and other forms of inappropriate behaviour from our sport. As part of this commitment, the policy allows AIDKA to take disciplinary action against any person or organisation bound by this policy if they breach the policy.

This policy has been endorsed by AIDKA Executive and has been and incorporated into our constituent document, rules, regulations or by-laws]. The policy starts on 1<sup>st</sup> June 2021 and will operate until replaced.

The current policy and its attachments can be obtained from our website at: <http://www.AIDKA.com.au>

All affiliated clubs will adopt and implement policies and procedures that support this Member Protection policy.

### 3 Definitions

The following terms have the following meanings in this policy and its attachments, without limiting the ordinary and natural meaning of the words. Further detail or definitions that are specific to each state can be sourced from the relevant child protection authorities or equal opportunity and anti-discrimination commissions.

**Affiliated club** means an Association Member Club which has been registered and is financial by January 31<sup>st</sup>. each calendar year.

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

**Child Safe Officer** means the person appointed by the Association to assist with maintaining a child safe environment.

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

**Complainant** means the person making a complaint.

**Complaint handler/officer** means the person appointed under this policy to investigate a complaint.

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

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

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

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

- personal association with someone who has, or is assumed to have, any of the above characteristics

Note: Examples of discrimination are available on the Play by the Rules website:

[www.playbytherules.net.au/legal-stuff/discrimination](http://www.playbytherules.net.au/legal-stuff/discrimination)

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

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

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

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

#### **Harm or risk of harm**

Please refer to the booklet via the link below, to describe harm or risk of harm:

[https://dhs.sa.gov.au/\\_data/assets/pdf\\_file/0003/103179/CSE-Mandatory-notification-information-booklet.PDF](https://dhs.sa.gov.au/_data/assets/pdf_file/0003/103179/CSE-Mandatory-notification-information-booklet.PDF)

**Member** means a member of an Association affiliated club under Clause 4.C of the AIDKA Constitution.

**Member Protection Information Officer** means a person appointed by AIDKA to be a point of contact for a person reporting an issue or a complaint under, or a breach of, this policy. The MPIO is not the first point of contact for any reasonable belief that a child or young person is being harmed or is at risk of harm. The Child Abuse Report Line is the first point of contact for all these matters 13 14 78.

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

**Official** is a person who acts in an official capacity on behalf of the club or association in a role as nominated on the day or elected to a position at any race meeting in compliance with AIDKA Rules of racing

**Procedural fairness** requires that:

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

**Policy** means this Member Protection Policy.

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

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

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

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

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

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

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

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



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

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

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

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

**Working with Children Check** is an assessment of whether a person poses an unacceptable risk to children.

#### 4. Who does this policy apply to?

This policy applies to the following people who are involved with the activities of AIDKA whether they are in a paid or unpaid/voluntary capacity and includes:

- 4.1 persons appointed or elected to the Executive, Committees and sub-Committees
- 4.2 employees of AIDKA
- 4.3 members of the AIDKA Executive;
- 4.4 support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- 4.5 coaches and assistant coaches;
- 4.6 drivers;
- 4.7 All officials;
- 4.8 members, including life members of AIDKA;
- 4.9 athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by AIDKA;
- 4.10 all persons holding a day licence for an event
- 4.11 all persons in the Race arena at competitions
- 4.12 any other person who is a member of an affiliated club or the Association including life members.
- 4.13 any other person or entity (e.g. a parent/guardian/care-giver, sponsor or spectator) who or which agrees in writing (whether on a ticket, entry form or otherwise) to be bound by this Policy.

This policy will continue to apply to a person even after he or she has stopped their association or employment with AIDKA, if disciplinary action against that person has begun.

It is also intended this policy will apply to affiliated clubs and associated organisations who have adopted this policy.

#### 5. Organisational responsibilities

AIDKA and all affiliated clubs must:

- 5.1 adopt, implement and comply with this policy
- 5.2 ensure that this policy is enforceable
- 5.3 publish, distribute and promote this policy and the consequences of any breaches of the policy
- 5.4 promote and model appropriate standards of behaviour at all times
- 5.5 deal with any complaints made under this policy in an appropriate manner
- 5.6 deal with any breaches of this policy in an appropriate manner
- 5.7 recognise and enforce any penalty imposed under this policy
- 5.8 ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies. Or to provide to anyone on request
- 5.9 use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour
- 5.10 monitor and review this policy at least annually.
- 5.11 provide an endorsed copy of the Club's Member protection policy
- 5.12 confirm name and contact details of the Child Safety Officer annually and within 14 days of and changes being made.

## 6. Individual responsibilities

Individuals bound by this policy must:

- 6.1 make themselves aware of the contents of this policy;
- 6.2 comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible harm or risk of harm to a child or young person as set out in this policy;
- 6.3 consent to the screening requirements set out in this policy, and any state/territory Working with Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law;
- 6.4 place the safety and welfare of children above other considerations;
- 6.5 be accountable for their behaviour: and,
- 6.6 comply with any decisions and/or disciplinary measures imposed under this policy.

## 7. Position statements

### 7.1 Child protection

AIDKA has lodged a compliance statement with the relevant government departments to acknowledge that we are aware of our obligations to create and maintain a child safe environment according to the requirements under the Children and Young People (Safety) Act 2017 and other states.

AIDKA has lodged this statement on behalf of all affiliated clubs and therefore require that these organisations must also be aware of these obligations and adopt and implement this Policy.

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

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

#### 7.1.1 Identify and analyse risk of harm

We have developed and implemented a risk management strategy, including reviewing our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children and young people because of the actions or inaction of an employee, volunteer or another person.

#### 7.1.2 Develop codes of behaviour

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

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

#### 7.1.3 Choose suitable employees and volunteers

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

We will ensure that Working with Children Checks are conducted for all employees and volunteers over the age of 14 years who work with children and young people, where an assessment is required by law. The WWCC is required to be renewed every 5 years. If a criminal history report is obtained as part of the screening process, we will handle this information confidentially and in accordance with the relevant legal requirements. (Refer to the attachments in Part C of this policy.)

#### **7.1.4 Support, train, supervise and enhance performance**

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

Clubs require all members under the age of 18 must be supervised at all times by a responsible adult, parent or legal guardian.

Whilst parents and carers are required to supervise children at all times, AIDKA requires clubs to identify safe play areas for children's use that in clear view of other responsible persons to help increase child supervision. Where treatment requires physical contact, all members, volunteers, employees and officials will first seek the consent of the child/young person and their parents (where applicable).

#### **7.1.5: Empower and promote the participation of children and young people**

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

#### **7.1.6: Report and respond appropriately to a reasonable belief of harm or risk of harm to a child or young person**

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

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

## 7.2 Taking images of children and young people

AIDKA acknowledges that in South Australia under the Summary Offences Act 1953 a person must not engage in indecent filming. There is a risk that images of children may be used inappropriately or illegally and AIDKA will implement measures to eliminate this risk as far as practicable. This may not be the case in other states and please read the following:

<https://www.playbytherules.net.au/legal-stuff/child-protection/images-of-children>

AIDKA requires that members, wherever possible, obtain permission from a child or young person's parent/guardian (or the child or young person themselves) before taking an image of a child or young person that is not their own and ensure that the parent knows how the image will be used. (This authorisation is part of the annual licence renewal form).

AIDKA requires that if/when Clubs want to use photos from meet results, only names are to be published. Clubs are not to publish or display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian.

Clubs will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by pedophiles or other persons.

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

## 7.3 Anti-discrimination and harassment

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

AIDKA opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

AIDKA takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the appropriate club (see Responding to Complaints).

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

### 7.3.1 Discrimination

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

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

Discrimination can be either direct or indirect.

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

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

### **7.3.2 Harassment**

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

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

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

### **7.3.3 Prohibition against discrimination and harassment**

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the "Definitions".

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

### **7.4 Intimate relationships**

AIDKA understands that consensual intimate relationships (including, but not limited to sexual relationships) between coaches or officials and adult athletes may take place legally.

However, this policy will help ensure that the expectations of coaches or officials are clear and, to ensure that if an intimate relationship does exist or develop between a coach or official and an adult athlete, that relationship will be managed in an appropriate manner.

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

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

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

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

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

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

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

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

If a coach, official or athlete believes they are being, or have been, harassed they are encouraged to seek information and support from the Member Protection Information Officer, Complaints manager/ President or person(s) appointed by the Board/ Executive or other official. Our complaints procedure is outlined in Part D of this policy.

#### **7.5 Pregnancy**

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

AIDKA will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women.

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

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

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

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

#### **7.6 Gender identity**

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

### **7.6.1 Gender identity discrimination and harassment**

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

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

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

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

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

### **7.6.2 Participation in sport**

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

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

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.

### **7.6.3. Intersex status**

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

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

### **7.7 Bullying**

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

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

Whilst generally characterised by repeated behaviours, one-off instances can amount to bullying.

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



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

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. AIDKA will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a referee, teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club, league or peak sporting body.

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

## **7.8 Social networking**

AIDKA acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter. We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.

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

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

## **8. Complaints procedures**

### **8.1 Handling complaints**

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

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

In the first instance, complaints should be reported to the Complaints manager/ President or person(s) appointed by the Executive.

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

- National Association level, or involves people operating at the association level, then the complaint should be reported to and handled by the relevant association in the first instance
- club level, or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.

Only matters that relate to, or which occurred at, the national level, as well as serious cases referred from the state and club level, should be dealt with by the national body.

A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the Complaints Officer / President or person appointed by the AIDKA Executive should consider whether that is an appropriate way to handle the particular complaint. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

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

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

### **8.2 Improper complaints and victimisation**

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

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

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

### **8.3 Mediation**

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

Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions.

It may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the Complaints manager/ President or person(s) appointed by the Board/ Executive / President will, in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to participate in the mediation process.

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

#### **8.4 Tribunals**

In accordance with AIDKA rules a Tribunal may be convened to hear a proceeding:

- referred to it by the Complaints manager/ President or person(s) appointed by the Executive/President
- referred to it or escalated by a club because of the serious nature of the complaint, because it was unable to be resolved at the club level or because the policy of the club directs it to be.
- for an alleged breach of this policy.

Our Tribunal procedure is outlined in Attachment [D4].

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

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

### **9. What is a breach of this policy?**

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

- 9.1 breaching the codes of behaviour (see Part B of this policy);
- 9.2 bringing the sport and/or AIDKA into disrepute, or acting in a manner likely to bring the sport and/or AIDKA into disrepute
- 9.3 failing to follow AIDKA policies (including this policy) and our procedures for the protection, safety and well-being of children and young people;
- 9.4 discriminating against, harassing or bullying (including cyber-bullying) any person;
- 9.5 victimising another person for making or supporting a complaint;
- 9.6 engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- 9.7 verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 9.8 disclosing to any unauthorised person or organisation any AIDKA information that is of a private, confidential or privileged nature;
- 9.9 making a complaint that they know to be untrue, vexatious, malicious or improper;
- 9.10 failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; and
- 9.11 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

## 10. Disciplinary measures

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

Any disciplinary measure imposed will be:

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

### 10.1 Individual

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

- 10.1.1 a direction that the individual make a verbal and/or written apology;
- 10.1.2 a written warning;
- 10.1.3 a direction that the individual attend counselling to address their behaviour;
- 10.1.4 a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by AIDKA;
- 10.1.5 a demotion or transfer of the individual to another location, role or activity;
- 10.1.6 a suspension of the individual's membership or participation or engagement in a role or activity for one month or a period determined by the Board/Executive.
- 10.1.7 termination of the individual's membership, appointment or engagement;
- 10.1.8 a recommendation that AIDKA terminate the individual's membership, appointment or engagement;
- 10.1.9 in the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- 10.1.10 a fine;
- 10.1.11 any other form of discipline that AIDKA Board/ Executive or Tribunal constituted by the Board/ Executive considers appropriate.

### 10.2 Organisation

If a finding is made that AIDKA or a member club has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by the AIDKA Board/ Executive or Tribunal constituted by the Board/ Executive

- 10.2.1 a written warning;
- 10.2.2 a fine;
- 10.2.3 a direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;
- 10.2.4 a direction that any funding granted or given to it by AIDKA cease from a specified date;
- 10.2.5 a direction that AIDKA cease to sanction events held by or under the auspices of that organisation;
- 10.2.6 a recommendation to AIDKA that its membership of the AIDKA be suspended or terminated in accordance with the relevant constitution or rules;
- 10.2.7 any other form of discipline that the national body or peak organisation considers reasonable and appropriate.

### **10.3 Factors to consider**

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

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

## **PART B: CODES OF CONDUCT**

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

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

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

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

### **ATTACHMENT:**

- Attachment B1:

## **Attachment B1: Codes of Conduct**

All AIDKA Licence holders, affiliated club members, officials, parents and spectators must abide by the Codes of Conduct. We encourage good sportsmanship at all levels of competition.

- Act within the rules and spirit of your sport (AIDKA).
- Report any potential or actual risk of harm to a child or young person to the relevant government authority in your state or territory. (in South Australia this is the Child Abuse report Line 13 14 78)
- Promote fair play over winning at any cost.
- Encourage and support opportunities for people to learn appropriate behaviours and skills.
- Support opportunities for participation in all aspects of the sport.
- Treat each person as an individual.
- Show respect and courtesy to all involved with the sport.
- Respect the rights and worth of every person, regardless of their age, race, gender, ability, cultural background, sexuality or religion.
- Respect the decisions of officials, coaches and administrators.
- Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance exists) with people under the age of 18.
- Display appropriate and responsible behaviour in all interactions.
- Display responsible behaviour in relation to alcohol and other drugs.
- Act with integrity and objectivity, and accept responsibility for your decisions and actions.
- Ensure your decisions and actions contribute to a safe environment.
- Ensure your decisions and actions contribute to a harassment-free environment.
- Do not tolerate abusive, bullying or threatening behaviour.

### **RACERS, DRIVERS, TRACK CREW & PARTICIPANTS**

- Always compete to the best of your ability with honour and integrity
- Always comply with the rules
- Avoid arguing with stewards and officials
- Participate for your own enjoyment and benefit.
- Treat all competitors as you would like to be
- Avoid the use of coarse or derogatory language
- Participate by the rules and show respect for other participants, coaches and officials.

### **OFFICIALS AND STEWARDS**

- Place the safety and welfare of all participants above all else.

- Ensure all participants are included and can participate, regardless of their race, gender, ability, cultural background, sexuality or religion.
- Promote respect for all competitors
- Be consistent, impartial and objective when making decisions.
- Ensure that the spirit of competition is maintained and condemn unsporting behaviour
- Be understanding and cooperative in the interpretation and application of rules and penalties
- Address unsporting behaviour and promote respect for other participants and officials.

#### **ADMINISTRATORS**

- Ensure quality supervision and instruction for participants.
- Support coaches and officials to improve their skills and competencies.
- Act honestly, in good faith and in the best interests of the sport as a whole.
- Ensure that any information acquired or advantage gained from the position is not used improperly.
- Conduct club responsibilities with due care, competence and diligence.

#### **PARENTS**

- Encourage your child to participate, do their best and have fun.
- Encourage your child to follow the rules, respect decisions of officials and stewards
- Focus on your child's effort and performance, rather than winning or losing and the overall outcome of the event.
- Teach your child that an honest effort is as important as victory
- Never ridicule or yell at a child for making a mistake or losing a competition.
- Help out the officials at training and competitions, where possible.
- Model appropriate behaviour, including respect for other participants and officials.
- Remember that the child is involved in Dirt Karting for their enjoyment – not yours.
- Set a good example and do not be an “ugly parent”

#### **SPECTATORS**

- Respect the effort and performances of participants and officials.
- Reject the use of harassment, bullying or violence in any form, whether by other spectators, coaches, officials or athletes.



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**DECLARATION:**

I, \_\_\_\_\_ have read  
and understood the policy and will abide by it as a member of  
\_\_\_\_\_ CLUB which is an affiliated member of  
AIDKA

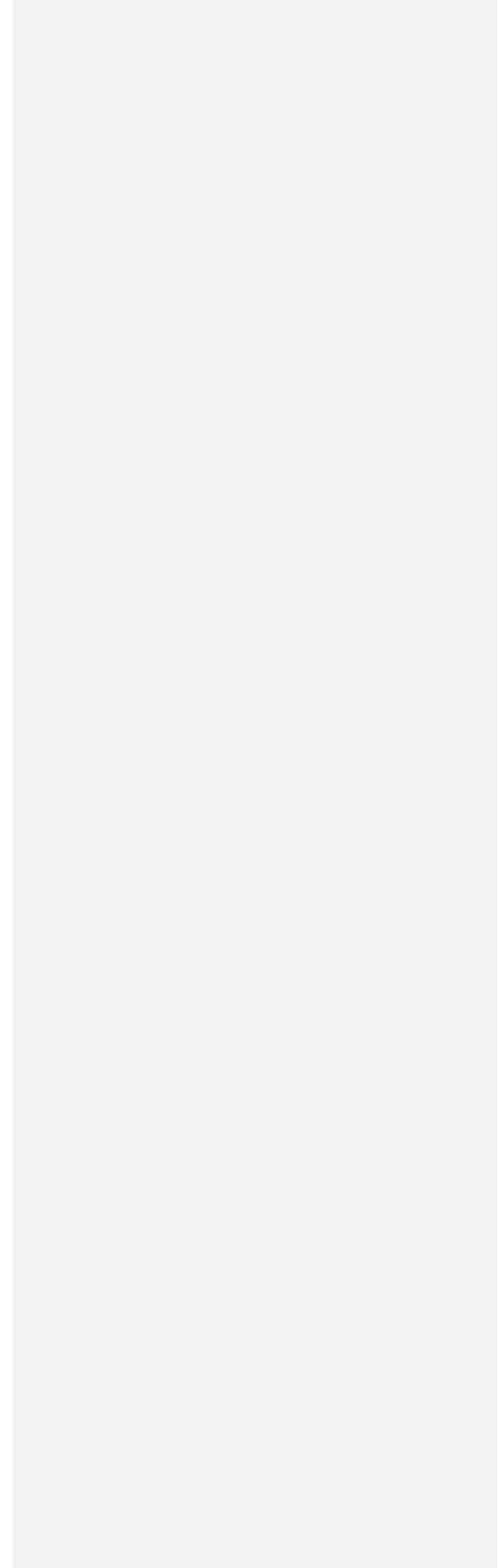
Signature:

Date:

If under 18 years of age, parent/guardian ( NAME):

Signature:

Date:



## **PART C: EMPLOYMENT SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS**

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

Employment screening and Working with Children Checks can involve National Police checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children and young people.

Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory, the Australian Capital Territory, Tasmania and South Australia. In South Australia it is an offence to commence working with children and young people before a WWCC is obtained. A WWCC is required for all people over the age of 14 who will work with children or young people.

AIDKA, including our clubs, will meet the requirements of the relevant state or territory Working with Children Check laws.

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

### **ATTACHMENTS**

- Attachment C1: Member Protection Declaration
- Attachment C2: Working with Children Check requirements

**Attachment C1:**

**MEMBER PROTECTION DECLARATION**

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

I ..... (name) of .....

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

sincerely declare:

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

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

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

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

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

Name: .....

Signature: ..... Date: .....

## Attachment C2:

### WORKING WITH CHILDREN CHECK REQUIREMENTS

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Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

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

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

Working with Children Check requirements vary across Australia. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: <https://www.playbytherules.net.au/legal-stuff/child-protection>  
Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

#### Australian Capital Territory

[www.accesscanberra.act.gov.au](http://www.accesscanberra.act.gov.au) or by contacting Access Canberra via:

- telephone: 13 22 81; or
- email: [wwvp@act.gov.au](mailto:wwvp@act.gov.au) .

#### New South Wales

Contact the Office of the Children's Guardian

Website:

[www.kidsguardian.nsw.gov.au/Working-with-children/Working-With-Children-Check/Child-related-employers](http://www.kidsguardian.nsw.gov.au/Working-with-children/Working-With-Children-Check/Child-related-employers)

Phone: 02 9286 7276

#### Northern Territory

Contact Northern Territory Government – Working with Children

Website: [www.workingwithchildren.nt.gov.au](http://www.workingwithchildren.nt.gov.au) Phone: 1800 SAFE NT (1800 723 368)

#### Queensland

website - <https://www.bluecard.qld.gov.au/info-sheets.html>

You can call Blue Card Services direct on

1800 113 611 (free call) or 07 3211 6999 between 8:00am-5:00pm, Monday to Friday.

#### South Australia

Contact the Department of Human Services

Website: [https://screening.sa.gov.au/National Police Check](https://screening.sa.gov.au/National%20Police%20Check): [www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check](http://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check)

In SA a WWCC is required for all people over the age of 14 years who will work with children and young people

**Tasmania**

Contact the Department of Justice: Building Standards and Occupational Licensing  
Working with Children Registration  
Website: [www.justice.tas.gov.au/working\\_with\\_children](http://www.justice.tas.gov.au/working_with_children)  
Phone: 1300 6540205

**Victoria**

For resources - <http://www.workingwithchildren.vic.gov.au/home/resources/>  
Working with Children Check Unit  
Department of Justice & Regulation  
GPO Box 1915  
Melbourne VIC 3001  
Telephone: 1300 652 879  
Email: [workingwithchildren@justice.vic.gov.au](mailto:workingwithchildren@justice.vic.gov.au)

**Western Australia**

Visit [www.dsr.wa.gov.au/safe-clubs-4-kids](http://www.dsr.wa.gov.au/safe-clubs-4-kids) (and visit the 'resources' section)  
Visit the WWC Check website [www.workingwithchildren.wa.gov.au](http://www.workingwithchildren.wa.gov.au) (including  
Factsheet 18 Information for the Sport and Recreation Sector)

**Travelling to other states or territories**

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

In certain jurisdictions, temporary, time limited exemptions from working with children checks may be available for interstate visitors with a Working with Children Check in their home state.

The laws providing interstate exemptions are not consistent across Australia.

If an employee or volunteer for your organisation is travelling interstate to do work that would normally require a working for children check, you will need to check the relevant requirements of that state or territory.



## **PART D: COMPLAINT HANDLING PROCEDURES**

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

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

We also provide an appeals process for those matters.

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

### **ATTACHMENTS**

- Attachment D1: Complaints procedure
- Attachment D2: Mediation
- Attachment D3: Information Collection process
- Attachment D4: Tribunal procedure



## Attachment D1: COMPLAINTS PROCEDURE

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

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

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

### Informal approaches

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

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

#### **Step 2: Contact a Member Protection Information Officer**

We encourage you to talk with one of our Member Protection Information Officers (MPIOs), Complaints Officer / President or person appointed by the Board/ Executive if:

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

The names and contact details for our MPIOs are available at [www.aidka.com.au](http://www.aidka.com.au)

The MPIO/ Complaints Officer/ President or person appointed by the Board/ Executive will:

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

#### **Step 3: Decide how to address your concern**

After talking with the MPIO/Complaints Officer/ President or person appointed by the Board/ Executive, you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;
- to try and resolve the problem yourself, with or without a support person;



- to resolve the problem with the help of someone impartial, such as a mediator; or
- to resolve the matter through a formal process.

#### Formal approaches

##### Step 4: Making a formal complaint

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

- make a formal complaint in writing to the Complaints Officer/ President or person appointed by the Board/ Executive or
- approach a relevant external agency, such as an anti-discrimination or equal opportunity commission, for advice and assistance.

After receiving a formal complaint, and based on the material you provide, the Complaints Officer/ President or person appointed by the Board/ Executive will decide whether:

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

In dealing with your formal complaint, the Complaints Officer/ President or person appointed by the Board/ Executive / Executive will take into account:

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

If the Complaints Officer/ President or person appointed by the Board/ Executive is the appropriate person to handle the complaint, he or she will, where appropriate and/or necessary:

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

##### Step 5: Gathering information relevant to the complaint

In some cases, further information may be required to determine the facts surrounding the complaint. Our information collection procedure is outlined in [Attachment D3].





Following this process, the information will be provided to the person appointed by the AIDKA Executive

- If the complaint is referred to **mediation**, we will follow the steps outlined in [Attachment D2] or as agreed by you, the respondent and the mediator.
- If the complaint is referred to a **tribunal hearing**, the hearing will be conducted according to the steps outlined in [Attachment D4].
- If the complaint is referred to the **police or another external agency**, we will endeavour to provide all reasonable assistance required by the police or the agency.

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

Commented [JS1]: NEED to add

#### **Step 6: Reconsidering a complaint or appealing a decision**

If the matter is referred to mediation and is not resolved at mediation, you may request that Complaints Officer/ President or person appointed by the Board/ Executive reconsider the complaint in accordance with Step 3.

In accordance with AIDKA rules you or the respondent(s) may also appeal a decision made at a tribunal hearing. The grounds and process for appeals are set out in [Attachment D4].

#### **Step 7: Documenting the resolution**

The Complaints Officer/ President or person appointed by the Executive will record the complaint, the steps taken to resolve it and the outcome. This information will be stored in a confidential and secure place. If the complaint was dealt with at the state/district level, the information will be stored by the state association. If the matter is of a serious nature, or if it was dealt with at the national level, the information will be stored by AIDKA and a copy stored by the state association.

#### **Approaching external organisations**

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

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

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

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

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



## Attachment D2: MEDIATION

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

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

Our approach to mediation follows the steps set out below.

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

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

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



## Attachment D3: INFORMATION COLLECTION PROCESS

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There will be times when a complaint will need to be explored and information gathered. A complaint manager will be appointed to undertake this process.

This process is not meant to be thorough investigation, but to seek enough information to help determine sufficient facts relating to the incident to make recommendations for the next steps to be taken.

It is important that this process is fair to all people involved and undertaken by an unbiased person.

If we decide that further information relating to the complaint is needed, we will follow the steps outlined below.

1. The Complaints manager/ President or person(s) appointed by the Executive will be provided with clear guidelines that set out his or her roles and responsibilities.
2. The Complaints manager/ President or person(s) appointed by the Executive appointed may:
  - interview the complainant and record the interview in writing;
  - provide full details of the complaint to the respondent(s) so that they can respond
  - interview the respondent(s) to allow them to answer the complaint and record the interview in writing;
  - if necessary, obtain statements from witnesses or determine appropriate witnesses who may present in the event of a tribunal be conducted;
  - make a finding as to whether the complaint is:
    - **substantiated** (there is sufficient evidence to support the complaint)
    - **inconclusive** (there is insufficient evidence either way);
    - **unsubstantiated** (there is sufficient evidence to show that the complaint is unfounded);
    - **mischievous, vexatious or knowingly untrue.**
  - provide a report to the person appointed by the AIDKA Executive documenting the complaint, the information collection process and the information obtained).
3. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person or adviser e.g. MPIO.
4. The information collected will be stored securely and confidentiality will be maintained with the information only provided to those who require further information to support a resolution or determination.
5. Process will continue as per D1:Step 5



## **Attachment D4: TRIBUNAL PROCEDURES**

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

### **Preparing for a Tribunal hearing**

1. A Tribunal panel will be established, according to the rules set out in our constituent documents, rules and by-laws, to hear a complaint that has been referred to it by the Complaints manager/ President or person(s) appointed by the Executive.
2. The number of Tribunal panel members required to be present throughout the hearing will be three. This will include a member with legal background and two other members with experience in sport dispute resolution and all to be approved by the AIDKA Executive.
3. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by Complaints manager/ President or person(s) appointed by the Board/ Executive relating to the complaint/allegations.
4. The Tribunal hearing will be held as soon as practicable. However, adequate time must be provided for the respondent(s) to prepare for the hearing.
5. The Complaints manager/ President or person(s) appointed by the Executive will inform the respondent(s) in writing that a Tribunal hearing will take place. The notice will outline:
  - that the person has a right to appear at the Tribunal hearing to defend the complaint/allegations;
  - the details of the complaint and of all allegations, as well as the provision or clause of any policy, rule or regulation that has allegedly been breached;
  - the date, time and venue of the Tribunal hearing;
  - that verbal and/or written submissions can be presented at the Tribunal hearing;
  - that witnesses may attend the Tribunal hearing to support the position of the respondent/s;
  - an outline of any possible sanctions that may be imposed if the complaint is found to be true;
- That legal representation will not be allowed.  
Note: The respondent may be assisted by a support person at a Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However a person cannot be a support person if he or she has been admitted to the practice as a lawyer or worked as a trainee lawyer. A copy of any investigation report findings will be provided to the respondent(s).
6. The Complaints manager/ President or person(s) appointed by the Executive will notify the complainant in writing that a Tribunal hearing will take place. The notice will outline:
  - that the person has a right to appear at the Tribunal hearing to support their complaint;
  - the details of the complaint, including any relevant rules or regulations the respondent is accused of breaching;
  - the date, time and venue of the Tribunal hearing;
  - that verbal and/or written submissions can be presented at the Tribunal hearing;
  - that witnesses may attend the Tribunal hearing to support the complainant's position;



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

A copy of the information collected as per D3 will be provided to the complainant.

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

#### **Tribunal hearing procedure**

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



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

#### **Appeals procedure**

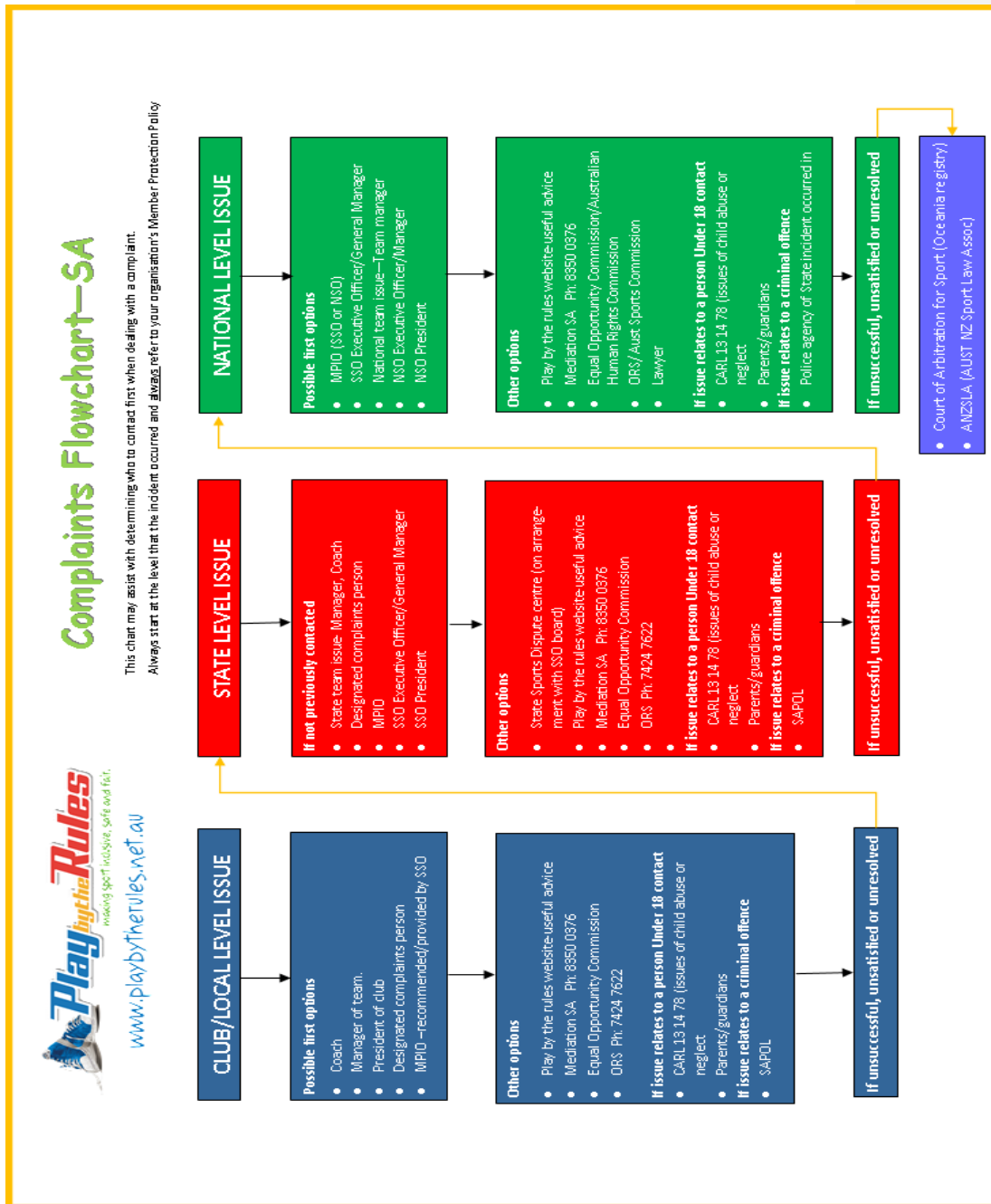
26. A complainant or a respondent(s) may lodge with AIDKA an appeal in relation to the decision of a Tribunal on one or more of the following grounds:
- 26.1 that a denial of procedural fairness has occurred;
  - 26.2 that the sanction imposed is unjust and/or unreasonable;



27. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the Secretary] within 7 days of the decision being made. [An appeal fee of \$200.00 shall be included with the letter of intention to appeal.
29. If the letter of appeal is not received by the Secretary within this time, the right of appeal will lapse. If the letter of appeal is received but the appeal fee is not received within this time, the appeal will also lapse.
30. The letter of appeal and the notice of the Tribunal's decision (clause 24) will be forwarded to the Sub Committee of the Board/Executive appointed by the Executive to review and to decide whether there are sufficient grounds for the appeal to proceed. This Sub Committee may invite any witnesses to the meeting that he or she believes are required to make an informed decision.
31. If the appellant has not shown sufficient grounds for an appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision. The appeal fee will be forfeited.
32. If the appeal is accepted, an Appeal Tribunal with new panel members will be convened to rehear the complaint and the appeal fee will be refunded.
33. The Tribunal hearing procedure shall be followed for the Appeal Tribunal.
34. The decision of the Appeal Tribunal will be final and binding.



**Attachment D5:  
COMPLAINTS FLOWCHART (PLAY BY THE RULES)**







**ATTACHMENT D6  
AIDKA COMPLAINT HANDLING FLOWCHART**

**COMPLAINT HANDLING**

**Internal Resolution**

1. Disagreements, decisions, interpretations of rules,
2. Less serious inappropriate behaviour
3. Discrimination, Victimization & Harassment
4. Criminal History Assessment
5. Any other grievance

**External Assistance**

1. Physical / Sexual assault
2. Child Abuse
3. Child Protection
4. Discrimination, Victimization & Harassment

**Who's Responsible?**

1. Racers, Drivers, Race Arena Crew & Participants, Officials and Stewards, Administrators, Parents, Spectators (Codes of Conduct)
2. Child Safety Officer / Prescribed Positions / Mandated Notifiers
3. MPIO
4. AIDKA Committee/ Board
5. AIDKA Grievance Panel

**Agencies**

1. Police (Ph 000 or 131 444)
2. Child Abuse Report Line
3. <http://www.playbytherules.net.au/legal-stuff/child-protection>
4. Sport SA State Sport Dispute Centre (ph. 8353 7755) or MPIO / S.A. Equal Opportunities Comm.



## **PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS**

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

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

We will treat any allegation of harm or risk of harm to a child or young person promptly, seriously and with a high degree of sensitivity.

We will ensure that everyone who works with our organisation in a paid or unpaid capacity understands how to appropriately receive and record a reasonable belief of harm or risk of harm to a child or young person and how to report those beliefs to the relevant authorities in their state or territory.

### **ATTACHMENTS**

- Attachment E1: Record of informal complaint
- Attachment E2: Record of formal complaint
- Attachment E3: Handling a reasonable belief of harm or risk of harm to a child or young person
- Attachment E4: Confidential record of beliefs



**Attachment E1:**

**RECORD OF INFORMAL COMPLAINT**

Name of person receiving complaint		Date: / /
Complainant's Name	<input type="checkbox"/> Over 18 <span style="margin-left: 150px;"><input type="checkbox"/> Under 18</span>	
Role/status	<input type="checkbox"/> Administrator (volunteer) <span style="margin-left: 150px;"><input type="checkbox"/> Parent</span> <input type="checkbox"/> Participant <span style="margin-left: 150px;"><input type="checkbox"/> Spectator</span> <input type="checkbox"/> Steward <span style="margin-left: 150px;"><input type="checkbox"/> Support Personnel</span> <input type="checkbox"/> Employee (paid) <span style="margin-left: 150px;"><input type="checkbox"/> Other</span> <input type="checkbox"/> Official .....	
When/where did the incident take place?		
What are the facts relating to the incident, as stated by complainant?		
What is the nature of the complaint? (category/basis/grounds)  Tick more than one box if necessary	<input type="checkbox"/> Harassment <span style="margin-left: 40px;"><input type="checkbox"/> Discrimination</span> <input type="checkbox"/> Sexual/sexist <span style="margin-left: 40px;"><input type="checkbox"/> Selection dispute</span> <span style="margin-left: 40px;"><input type="checkbox"/> Coaching methods</span> <input type="checkbox"/> Sexuality <span style="margin-left: 40px;"><input type="checkbox"/> Personality clash</span> <span style="margin-left: 40px;"><input type="checkbox"/> Verbal abuse</span> <input type="checkbox"/> Race <span style="margin-left: 40px;"><input type="checkbox"/> Bullying</span> <span style="margin-left: 40px;"><input type="checkbox"/> Physical abuse</span> <input type="checkbox"/> Religion <span style="margin-left: 40px;"><input type="checkbox"/> Disability</span> <span style="margin-left: 40px;"><input type="checkbox"/> Victimisation</span> <input type="checkbox"/> Pregnancy <span style="margin-left: 40px;"><input type="checkbox"/> Child or young person harmed</span> <span style="margin-left: 40px;"><input type="checkbox"/> Unfair decision</span> <input type="checkbox"/> Other .....	
What does the complainant want to happen to resolve the issue?		
What other information has the complainant provided?		
What is the complainant going to do now?		

**This record and any notes must be kept confidential and secure.** If the issue becomes a formal complaint, this record is to be given to The Secretary.



**Attachment E2:**

**RECORD OF FORMAL COMPLAINT**

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



Formal resolution procedures followed (outline)	
If investigated:	Finding
If heard by Tribunal:	Decision  Action recommended
If mediated:	Date of mediation:  Both/all parties present  Agreement  Any other action taken
If decision was appealed	Decision  Action recommended
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve
Completed by	Name: Position: Signature: _____ Date / /
Signed by:	Complainant:  Respondent:

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



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## Attachment E3:PROCEDURE FOR MANAGING REPORTS OF A REASONABLE BELIEF THAT A CHILD OR YOUNG PERSON IS BEING HARMED OR IS AT RISK OFHARM

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

Fact sheets on reporting reasonable belief that a child or young person is being harmed or at risk of harm in different states and territories are available at [www.playbytherules.net.au](http://www.playbytherules.net.au)

We will treat any belief that a child or young person is being harmed or at risk of harm promptly, seriously and with a high degree of sensitivity.

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

### Step 1: Receive the allegation

If a child or young person raises with you a belief of harm or risk of harm that relates to them or to another child, it is important that you listen, stay calm and be supportive.

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

### Step 2: Report the allegation

- Immediately report any reasonable belief of harm or risk of harm to a child or young person, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the President of AIDKA so that he or she can manage the situation.



### **Step 3: Protect the child and manage the situation**

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

### **Step 4: Take internal action**

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



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

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





**Attachment E4:**

**CONFIDENTIAL RECORD OF HARM OR RISK OF HARM TO A CHILD OR YOUNG PERSON**

Before completing, ensure the procedures outlined in attachment E3 have been followed and advice has been sought from the relevant government agency and/or police.

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



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

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