



HALLETT COVE NETBALL CLUB INCORPORATED

MEMBER PROTECTION POLICY

1. INTRODUCTION

The Hallett Cove Netball Club (Club) commenced in the school zone level in 1990 with 20 members, playing at Hallett Cove and Sheidow Park schools. Throughout the 1990's the club grew substantially and by 1998 there were over 200 members. In 1997, in conjunction with the Marion Council, farmland was purchased at our current location. The existing facilities were opened in 1990 by Marion Council Mayor, Colin Hayes. In 2016, we had 15 teams for the Winter competition playing in the SAUCNA competition. There are currently over 200 members comprising of players, coaches, umpires, team managers and volunteers.

2. PURPOSE OF OUR POLICY

The main objective of our Member Protection Policy (Policy) is to maintain responsible behaviour, ethical and informed decision-making by participants in the Club. This Policy outlines our commitment to a persons' right to be treated with respect and dignity, and to be safe and protected from abuse. Our policy informs everyone involved in our Club of his or her legal and ethical rights, responsibilities and the standards of behaviour that required. It also covers the care and protection of children participating in our Club's activities.

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

This policy has been endorsed by the Club Committee. Copies of the current policy and its attachments can be obtained from the Club website.

3. WHO OUR POLICY APPLIES TO

Our Policy applies to everyone involved in the Club including Committee Members, coaches, officials, umpires, volunteers, players, parents and spectators.

4. EXTENT OF OUR POLICY

This Policy covers breaches of our codes of behaviour and inappropriate behaviour that occurs at training, at meetings, in the Club rooms, at social events organised or sanctioned by the Club (or our district, regional state or national body) and any behaviour that brings or is likely to bring our Club or sport into disrepute. It also covers behaviour where there is suspicion of harm towards a child or young person and outer complaints process.

5. CLUB RESPONSIBILITIES

We will:

- Make any necessary amendment to our Constitution, rules or other policies to enable this Policy to be enforceable
- Implement and comply with our Policy

- Promote our Policy to everyone involved in our Club
- Promote and model appropriate standards of behaviour at all times
- Respond to breaches or complains made under our Policy promptly, fairly and confidentially
- Ensure that this Policy is accessible to all those whom this policy applies
- Review this Policy every 2 years
- Seek advice from, and if necessary or appropriate, refer serious issues to the State Association.

Serious issues include, but not limited to, unlawful behaviour that involves or could lead to significant harm and include, but not limited to, criminal behaviour (eg physical assault, sexual assault, child abuse) and any other issues that our State or national body request to be referred to them (eg conflict of interest).

6. INDIVIDUAL RESPONSIBILITIES

Everyone associated with our Club must:

- Comply with the standards of behaviour outlined in our policy
- Treat others with respect
- Always place the safety and welfare of children or young persons above other considerations
- Be responsible and accountable for their behaviour
- Follow the guidelines outlined in this Policy if they wish to make a complaint or report concerning behaviour(s)
- Comply with any decisions and / or disciplinary measures imposed under this Policy

7. PROTECTION OF CHILDREN AND YOUNG PERSONS

7.1 Child Protection

Hallett Cove Netball Club is committed to the safety and wellbeing of all children and young people accessing our service. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our members and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

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

Identify and Analyse Risk of Harm

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

Develop Codes of Conduct for Adults and Children

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

The codes of conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour. These have been developed separately and are available on the Club website.

Choose Suitable Volunteers

Hallett Cove Netball Club will ensure that all reasonable steps will be taken to ensure that it engages the most suitable and appropriate people to work with children.

This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

Hallett Cove Netball Club will ensure that working with children checks / criminal history assessments are conducted for volunteers working with children, where an assessment is required by law.

If a criminal history report is obtained as part of their screening process, the Club will ensure that the criminal history information is dealt with in accordance with relevant state requirements – refer Attachment 2 for further information.

Support, Train, Supervise and Enhance Performance

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

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

Hallett Cove Netball Club will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

Report and Respond Appropriately To Suspected Abuse and Neglect

Hallett Cove Netball Club will ensure that volunteers are able to identify and respond to children at risk of harm.

Hallett Cove Netball Club will make sure all volunteers are aware of their responsibilities under respective laws if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

In addition to any legal obligation, if any person feels another person bound by this policy is acting inappropriately towards a child or is breaching the codes of practice set out they may make an internal complaint. Please refer to our complaints procedure outlined in Attachment 3. This will explain what to do about the behaviour and how the Club will deal with the issue.

7.2 SUPERVISION

Members under the age of 18 must be supervised at all times by a responsible adult. Our Club will provide a level of supervision adequate and relative to the members' aged, maturity, capabilities,

level of experience, nature of activity and nature of venue. If a member finds a member under the age of 16 unsupervised, they should assume responsibility for the member's safety until the parent/caregiver or supervisor can be found.

Parents and caregivers must turn up on time to collect their child for reasons of courtesy and safety. If it appears a member will be left alone at the end of a training session or a game with just one child, they will ask another member to stay until the child is collected.

7.3 TRANSPORTATION

Parents/caregivers are responsible for transporting their children to and from all club activities (eg training and games)

7.4 TAKING IMAGES OF CHILDREN OR YOUNG PERSONS

Images of children can be used inappropriately or illegally. Hallett Cove Netball Club requires that individuals and clubs, wherever possible, obtain permission from a child or young persons' parent or care giver before taking an image of a child or young person, that is not their own and ensure that the parent or care giver knows the way the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

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

8. ANTIDISCRIMINATION AND HARRASSMENT

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

- Age;
- Disability;
- Family/carer responsibilities;
- Gender identity/transgender status;
- Homosexuality and sexual orientation;
- Irrelevant medical record;
- Irrelevant criminal record;
- Political belief/activity;
- Pregnancy and breastfeeding;
- Race;
- Religious belief/activity;
- Sex or gender;

- Social origin;
- Trade union membership/activity.

If any person feels they are being harassed or discriminated against by another person bound by this policy, please refer to our complaints procedure outlined in Attachment 3. This will explain what to do about the behaviour and how the Club will deal with the issue.

9. INCLUSIVE PRACTICES

Our Club is welcoming and we will seek to include members from all areas of the community.

9.1 People with a disability

Where possible we will include people with a disability in our teams and Club. We will make reasonable adaptations (eg modifications to equipment and rules) to enable participation.

9.2 People from diverse cultures

We will support and respect people from diverse cultures and religions to participate in our Club and where possible will accommodate requests for flexibility (eg modifications to uniforms).

9.3 Gender Equity

All people, regardless of their sexuality, are welcome at our Club. We will strive to provide a safe environment for participation and will not tolerate any unlawful discrimination or harassment of any member.

Further, if there is not a separate sex competition, our Club will support boys playing in girls teams up until the age of 11 years (when Federal Sex Discrimination Law says if differences in strength, stamina and physique are relevant, then single sex competition is required). After this age our Club will consider each request on an individual bases including looking at the nature of our sport and other opportunities to compete.

Everyone bound by this policy must treat people who identify as transgender fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender. Descriptions of the types of behaviour which could be regarded as transgender discrimination or harassment are provided in Definitions at clause 10.

Our Club recognises that the exclusion of transgender people from participation in sporting events and activities has significant implications for their health, well-being and involvement in community life. In general Hallett Cove Netball Club will facilitate transgender persons participating in our sport with the gender with which they identify.

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

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.

9.4 Pregnancy

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

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

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

10. CYBER BULLYING/SAFETY

Bullying and harassment in all forms is regarded by our Club as unacceptable in this sport. Given the easy accessibility via smart phone and internet social networks, the opportunity for unwanted and improper comments and statements has dramatically increased. Messages or statements made in these ways using these means of communication are largely instantaneous, and can easily be abused. Others may also manipulate a person by encouraging a statement to be made on twitter or Facebook, for example, when the writer may be upset or vulnerable. Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a referee, team-mate, coach, or sporting body should never be communicated on social network channels, but rather by way of reasoned and logical verbal and written statements and, where appropriate, complaints, to Hallett Cove Netball Club or SAUCNA Association.

10.1 SOCIAL NETWORKING WEBSITES POLICY

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

As per recommendations of SAUCNA, Hallett Cove Netball Club also recommends:

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

11. RESPONDING TO COMPLAINTS

11.1 Complaints

Our Club takes all complaints about on and off-court behaviour seriously. Our Club will handle complaints based on the principles of procedural fairness (natural justice) that is:

- All complaints will be taken seriously
- Both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story)
- Irrelevant matters will not be taken into account
- Decisions will be unbiased and fair
- Any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to the Association (SAUCNA).

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our Club will need to report the behaviour to the Police and /or relevant Government authority and our State/National body.

11.2 Complaint Handling Process

When a complaint is received by our Club, the person receiving the complaint (eg President, Secretary, Committee Member) will:

- Listen carefully and ask questions to understand the nature and extent of the problem
- Ask what the complainant would like to happen
- Explain the different options available to resolve the problem
- Take notes
- Maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the Club will assist, where appropriate and necessary, with the resolution process. This may involve:

- Supporting the person complaining to talk to the person being complained about
- Bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation)
- Gathering more information (eg from other people that may have seen the behaviour)
- Seeking advice from our district, regional, state and/or national body or from an external agency (eg Office of Recreation and Sport or Attorney Generals Department)
- Referring the complaint to our State Association (SAUCNA)
- Referring the complaint to an external agency such as a community mediation centre or SA Police

In situations where a complaint is referred to our State Association (SAUCNA) and an inquiry is conducted, the Club will:

- Cooperate fully and in line with the SAUCNA Complaint Handling Process
- Ensure the complainant and respondent are not victimised
- Where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent
- Act on our State Association's recommendations.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or external agency.

11.3 Improper Complaints & Victimisation

Our Club aims for our complaints procedure to have integrity and be free of unfair repercussions or victimisation against the person making the complaint. If at any point in the complaints process the Club considers that a complainant has knowingly made an untrue complaint or the complaint is malicious or intended to cause distress to the person complained of, the matter will be referred to the State's Association.

11.4 Disciplinary Measures

Our Club will take disciplinary action against anyone found to have breached our policy or made false and malicious allegations, Any disciplinary measure imposed under our policy must:

- Be applied consistent with any contractual and employment rules and requirements
- Be fair and reasonable
- Be based on the evidence and information presented and the seriousness of the breach
- Be determined in accordance with our Constitution, Policies (including this policy) and / or rules of netball.

Possible measures that may be take include

- Verbal and/or written apology
- Counselling to address behaviour
- Suspension or termination or membership, participation or engagement in a role or activity
- Any other form of discipline that our Club considers reasonable and appropriate.

11.5 Appeals

The complainant or respondent can lodge one appeal against decisions or disciplinary measures imposed by our Club to our State Association. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decisions maker/club.

ATTACHMENT 1: CODES OF CONDUCT

Codes of Behaviour have been developed for players, parents/spectators, and officials /volunteers. These are available on Hallett Cove Website - <http://hallettcovenetballclub.org.au/Policies.php>

ATTACHMENT 2: SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

Background

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

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

The state WWCC requirements apply regardless of our Member Protection Policy.

Working with Children Child Protection Requirements

In South Australia there a requirement to conduct criminal history assessments for people working with children.

South Australia Police require the explicit written consent of the applicant prior to the release of criminal history information. The NPC application form is available from SA Police website - www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check

Assessments required for prescribed positions

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

Hallett Cove Netball Club will conduct criminal history assessments on every person who is, or will be, engaged to work with children in this organisation, its affiliated associations and clubs.

As a first step, Hallett Cove Netball Club has identified all individuals and positions within the organisation that involve working with children. These are:

- President
- Secretary
- Treasure
- Uniform Coordinator
- Canteen Coordinator
- Committee Members
- Coaches
- Team Managers
- Umpires.

Procedure for conducting criminal history assessments

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

Hallett Cove Netball Club has set out the following policy and supporting procedures for obtaining criminal history assessments

Existing Members and Volunteers:

1. All existing members and volunteers holding a prescribed position must obtain a criminal history assessment
2. The document will be assessed in accordance with standard 5 and returned to the person as soon as practical
3. The criminal history assessment will be repeated every three years or as requested by the Committee

New Members and Volunteers:

1. All new members or volunteers selected to fill prescribed positions must obtain a criminal history assessment (or present an original document that is less than three years old). The cost of this application will be covered under the Volunteer Organisation Authorisation number (VOAN) obtained through SAUCNA.
2. On receipt of the check the original document must be presented to the President
 - a. Using a 100-point check, the above named position(s) will establish the true identity of the applicant
3. The document will be assessed in accordance with standard 5 and returned to the person as soon as practical
4. The assessment will be repeated every three years or as requested by the Committee.

Accepting 'other evidence'

Hallett Cove Netball Club will, in lieu of undertaking a criminal history assessment as set out above will accept the following forms of evidence (obtained within the last three years) to assess a person's suitability to work with children:

- A National Police Certificate that does not expressly state that it cannot be used as a clearance to work with children
- A letter of clearance to work with children from a CrimTac accredited agency (such as the DCSI Screening Unit, Department of Education and Children Development or Catholic Education Office
- A teacher registration certificate from the Teachers Registration Board or a Police Officer Identification within SA
- An interstate working with children check from NSW, QLD, VIC or WA.

Hallett Cove Netball Club may also, at its discretion, seek a statutory declaration for any volunteer who has been a citizen or permanent resident of another country other than Australia since turning 18 years of age.

Assessing criminal history assessments

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

Where an individual does have a criminal history, the Club must assess this information in accordance with Standard 5 of the Standards for dealing with information obtained about the criminal history of volunteers who work with children.

Each assessment is conducted on its individual merits and with consideration to the inherent requirements of the position. As required by the Standards for dealing with information obtained about the criminal history of volunteers who work with children, principles of procedural fairness and natural justice are applied throughout the decision-making process and the individual is

provided an opportunity to confirm or dispute the information contained within the report and to provide contextual information for consideration during the assessment process.

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

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

- that a criminal history report was obtained;
- how the criminal history information affected decision making processes; and
- statutory declarations (where applicable)

Hallett Cove Netball Club will take specific actions to store and record information obtained through conducting a criminal history assessment. This includes measure to ensure information is protected and confidentially stored and safeguards to protect against loss, unauthorised access, modification, disclosure or other misuse. A criminal history assessment template will be used to record this information. A copy of the template can be provided to members upon request via the Secretary

The Club may obtain a further criminal history assessment for volunteers at any time that they believe it necessary or desirable for the purpose of maintaining a child safe environment.

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

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

There will be no appeal to this decision.

ATTACHMENT 3 - COMPLAINT HANDLING PROCEDURES

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

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

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

Informal Approaches

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

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

Step 2: Contact a Member Protection Information Officer

Talk with one of our Member Protection Information Officers (MPIOs) if:

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

The MPIO:

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

Step 3: Outcomes from initial contact

After talking with the MPIO, you may decide:

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

Formal Approaches

Step 4: Making a Formal complaint

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

- make a formal complaint in writing to the *President of Hallett Cove Netball Club*, or
- approach a relevant external agency, such as an anti-discrimination or equal opportunity commission, for advice and assistance.

Step 5: Investigation of the complaint

A person appointed under Step 4 will conduct an investigation and provide a written report to the Committee who will determine what further action to take.

If the complaint is referred to the police or other appropriate authority, or the State Association, Hallett Cove Netball Club will use its best endeavours to provide all reasonable assistance required by the police or other authority.

Step 6: Documenting the resolution

The MPIO will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place.

Appeals

As per clause 11.5, the complainant or respondent can lodge one appeal against decisions of disciplinary measures imposed by our Club to our State Association. The appeal must be lodged, in writing, and within 14 days of the decision being handed down, addressed to the President. If it is not received within 14 days then the right to appeal will lapse.

The appeal will be investigated in accordance with the State Associations Disciplinary Proceedings Policy. This is available via link: <http://www.saucna.net/content.aspx?file=38595|25230v>

External Approaches

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

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

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

You could also approach another external agency such as the SA Police.

ATTACHMENT 4: INVESTIGATION PROCESS

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

We will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:

- Interview the complainant and record the interview in writing.
- Convey full details of the complaint to the respondent(s) so that they can respond.
- Interview the respondent to allow them to answer the complaint, and record the interview in writing.
- Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
- Make a finding as to whether the complaint is:
 - substantiated (there is sufficient evidence to support the complaint);
 - inconclusive (there is insufficient evidence either way);
 - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - mischievous, vexatious or knowingly untrue.
- Provide a report to [insert relevant person/tribunal] documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.

We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.

The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO).

The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Please refer above to process.

ATTACHMENT 5: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

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

Step 1 – Initial Receipt of an Allegation

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

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

Step 2 – Report allegations

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

Contact the relevant child protection agency or police for advice if there is any doubt about whether the complaint should be reported (for example, the allegation may relate to poor/inappropriate practice).

If the child's parent(s) is suspected of committing the abuse, you should report the allegation to the relevant government agency.

If the allegation involves anyone to whom our policy applies, then also report the allegation to the Hallett Cove Netball Club Secretary so that they can manage the situation (e.g. contact the parents following advice from the authorities, deal with any media enquiries and manage steps 3 and 4).

Step 3 – Protect the child and manage the situation

The Hallett Cove Netball Club Committee will assess the risks and take interim action to ensure the child's / children's safety. This may include redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined.

The Committee will consider the kind of support that the child / children and parents may need (e.g. counselling, helplines, support groups); will address the support needs of the alleged offender; and will also put in place measures to protect the child and the person against whom the complaint is made from victimisation and gossip. If the person is stood down, it should be made clear to any persons aware of the incident that this does not mean the respondent is guilty and a proper investigation will be undertaken.

Step 4 – Internal action

Where there is an allegation made against a person to whom this policy applies, there may be three types of investigations:

- Criminal (conducted by police)
- Child protection (conducted by child protection authority)
- Disciplinary or misconduct (conducted by the State Association)

Irrespective of the findings of the child protection and / or police inquiries, the Hallett Cove Netball Club will assess the allegation to decide whether the person should be reinstated, banned, have their position terminated or any other action.

The decision-maker(s) will be the Committee and it will consider all the information, including the findings of the police, government agency and / or court, and determine a finding, recommend action and explain its rationale for the action. This may be a difficult decision particularly where there is insufficient evidence to uphold any action by the police.

If disciplinary action is to be taken, the procedures outlined in the SAUCNA Discipline Proceedings Policy.

If disciplinary action is taken, SAUCNA will advise and provide a report to the relevant government authority should this be required.

Reporting Requirements and Documents

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

Reports are made to the **Child Abuse Help Line on 13 14 78**

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

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

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

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

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

Reporting Forms – Confidential Record of Formal Complaint

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

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

This record and any notes must be kept in a confidential and safe place. If the complaint is of a serious nature, or is escalated to and / or dealt with at the Association level, the original must be forwarded to the Association and a copy kept at the club.

Reporting Forms – Confidential Record of Child Abuse Allegation

Before completing, ensure the procedures outlined in attachment 2 have been followed and advice has been sought from the relevant government agency and/or police.

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

Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

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