



Member Protection Policy



Indoor Beach Volleyball Federation of WA - Member Protection Policy

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PREFACE

As the peak body for the sport of Indoor Beach Volleyball in Western Australia, Indoor Beach Volleyball Federation of Western Australia's (IBVFWA) purpose is to provide for the development, conduct, promotion and administration of the sport for the mutual and collective benefit of the Federation and Member Centres of the IBVFWA.

We aim to provide opportunities for individuals of all ages and abilities to participate at their desired level as a player, referee or coach and deliver an events portfolio which supports these opportunities. We do this through fostering relationships with key stakeholders as well as building systems and programs to grow, enhance and better deliver the sport of Indoor Beach Volleyball in Western Australia.

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

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

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

Craig Elphick
Administration Officer
October 2015



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PART A: Indoor Beach Volleyball Federation of WA Member Protection Policy

1. Purpose of Policy

This IBVFWA Member Protection Policy (Policy) will work towards maintaining ethical and informed decision-making and responsible behaviours within our sport. It outlines our commitment to a person's right to be treated with respect and dignity and to be safe and protected from abuse. This Policy informs everyone involved in our sport at all levels of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

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

The adoption of the Policy as an annexure to the IBVFWA Statutes and as updated from time to time to reflect amendments to legislation and prevailing Australian Sports Commission standards has been approved by the Board of Members of IBVFWA. This current version of the Policy is effective from 15 October 2015 and will operate until replaced. Copies of the current Policy and its attachments can be obtained from IBVFWA's website at www.indoorbeachvolleyball.com.

2. Who this Policy Applies To

This Policy applies to IBVFWA, Federation and Member Centres, Competition Administrators, Officials, Agents and Players. To the fullest extent possible, it also applies to parents and guardians of Players and to Spectators at Centres. This Policy will continue to apply to a person, even after they have stopped their association or employment with IBVFWA, if disciplinary action against that person has commenced.

3. Responsibilities of the Organisation

IBVFWA and the Member Centres of IBVFWA must:

- 3.1 Adopt, implement and comply with this Policy;
- 3.2 In the case of the Federation and Member Centres make such amendments to their rules or policies necessary for this Policy to be enforceable;
- 3.3 Publish, distribute and promote this Policy and the consequences of breaches;
- 3.4 Promote and model appropriate standards of behaviour at all times;
- 3.5 Promptly deal with any breaches or complaints made under this Policy in a sensitive, fair, timely and confidential manner;
- 3.6 Apply this Policy consistently;
- 3.7 Recognise and enforce any penalty imposed under this Policy;
- 3.8 Ensure that a copy of this Policy is available or accessible to the persons and associations to whom this Policy applies;
- 3.9 Appoint appropriately trained people to the positions of Centre Managers, to receive and manage complaints and allegations;
- 3.10 Monitor and review this Policy on a regular basis.



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4. Individual Responsibilities

Individuals bound by this Policy are responsible for:

- 4.1 Making themselves aware of the Policy and complying with its standards of behaviour;
- 4.2 Complying with applicable screening requirements and any state/territory Working with Children Checks;
- 4.3 Placing the safety and welfare of children above other considerations;
- 4.4 Being accountable for their behaviour;
- 4.5 Following the procedures outlined in this Policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour; and
- 4.6 Complying with any decisions and/or disciplinary measures imposed under this Policy.

5. Position Statements

5.1 Child Protection

The IBVFWA are 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 that a child safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

The IBVFWA acknowledge that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in indoor beach volleyball. The IBVFWA aim to continue this and to take measures to protect the safety and wellbeing of children participating in indoor beach volleyball by:

5.1.1: Identifying and Analysing Risk of Harm

The IBVFWA will develop and implement risk management strategies, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another child.

5.1.2: Developing Codes of Conduct for Adults and Children

The IBVFWA will ensure that there is a Working With Children Code of Conduct that specifies standards of conduct and care when dealing and interacting with children, particularly those in the care of one of the Federation and Member Centres.

The Working With Children Code of Conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour and will address appropriate behaviour between children (see Part B of this Policy).



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5.1.3: Choosing Suitable Employees and Volunteers

The IBVFWA will ensure that all reasonable steps are taken to ensure that the most suitable and appropriate people to work with children (in prescribed positions) are engaged.

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.

The IBVFWA will ensure that Working with Children checks/criminal history assessments are conducted for employees and 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 IBVFWA will ensure that the criminal history information is dealt with in accordance with relevant state requirements (see Part C of this Policy).

5.1.4: Supporting, Training, Supervising and Enhancing Performance

The IBVFWA will ensure that their volunteers and employees who work with children or children's 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.

5.1.5: Empowering and Promoting the Participation of Children in Decision-Making and Service Development

The IBVFWA will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

5.1.6: Report and Respond Appropriately to Suspected Abuse and Neglect

The IBVFWA will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The IBVFWA will make all volunteers and employees aware of their responsibilities under respective state laws if they have a suspicion on reasonable grounds that a child has been or is being abused or neglected (see Part E of this Policy).

In addition to any legal obligation, if any person feels another person or organisation bound by this Policy is acting inappropriately towards a child or is breaching the Working With Children Code of Conduct they may make an internal complaint. Please refer to our complaints procedure outlined in Part D of this Policy. This will explain what to do about the behaviour and how the IBVFWA will deal with the problem.



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5.2 Taking Images of Children

Images of children cannot be used inappropriately or illegally. The IBVFWA require that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child who is not their own and ensure that the parent knows how 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 any of the IBVFWA use an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. The IBVFWA will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. The Federation and Member Centres will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by paedophiles or other persons. The IBVFWA 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. Where possible the IBVFWA will seek permission to use these images.

The IBVFWA require Members Centres to do likewise.

5.3 Anti-Discrimination and Harassment

The IBVFWA oppose all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying, based on personal characteristics such as those listed in the Dictionary at section 9 of this Policy, are against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this Policy, please refer to the IBVFWA Complaints Procedure outlined in Attachment D1 of this Policy. This will explain what to do about the behaviour and how the Federation and Member Centres will deal with the problem.

5.4 Sexual Relationships

The IBVFWA take the position that sexual relationships between coaches and the adult athletes that they coach should be avoided as these relationships can have harmful effects on the individual athlete involved, on other athletes and coaches, and on indoor beach volleyball's public image. Such relationships may be intentionally or unintentionally exploitative due to a disparity between coaches and athletes in terms of authority, power, maturity, status, influence and dependence.

Should a sexual relationship exist between an athlete and coach, the relevant Governing Body will consider whether any action is necessary. Factors that may be relevant in this consideration are the age and maturity of the athlete relative to the coach, the financial or emotional dependence of the athlete on the coach, and the likelihood of the relationship having any adverse impact on the athlete and/or other



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athletes. If it is determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. Action may include transfer, a request for resignation or dismissal from coaching duties.

In the event that an athlete attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. The coach or athlete may wish to approach the AO if they feel harassed. The Complaints Procedure is outlined in Attachment D1 of this Policy.

5.5 Pregnancy

Everyone bound by this Policy must treat pregnant women with dignity and respect and any unreasonable barriers to participation by them in our sport should be removed. IBVFWA 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 well being, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in indoor beach volleyball.

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

5.6 Gender Identity

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. IBVFWA 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 the Dictionary at section 9 of this Policy.

The IBVFWA recognise that the exclusion of Transgender people from participation in sporting events and activities may have significant implications for their health, well-being and involvement in community life. In general IBVFWA will facilitate Transgender persons participating in indoor beach volleyball with the gender with which they identify.

The IBVFWA also recognise there is debate over whether a male or 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 relevant Governing Body will seek advice on the application of those laws in the particular circumstances.



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5.7 Alcohol Policy

The IBVFWA recommend that licensed member centres adhere to strict guidelines regarding the responsible consumption of alcohol. Responsible service and consumption of alcohol should apply to any alcohol to be consumed during or after the competition has concluded.

Responsible service of alcohol will entail:

- a) Making sure light alcohol and soft drinks are always available as alternatives to full strength alcohol;
- b) Wherever possible, food being available to be consumed when alcohol is available;
- c) Transport policies, and Board/Committee Members being in attendance to ensure appropriate practices are followed.

5.8 Smoking Policy

The following policies should be applied to all indoor beach volleyball-related events (including matches and social functions):

- a) No smoking shall occur at or near any sporting event or competition involving persons under the age of 18, and this Policy applies to all coaches, players, trainers, officials and volunteers;
- b) Social functions shall be smoke free, with smoking permitted at designated outdoor smoking areas;
- c) Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity for any of the IBVFWA and Member Centres, Club or representative team, on and off the field.

5.9 Cyber Bullying/Safety

Bullying and harassment in all forms is regarded by the IBVFWA as unacceptable in this sport. Given the emergence of new telephone and internet social networks, the opportunity for unwanted and improper comments and statements has dramatically increased. Messages or statements made in these ways using these means of communication are largely instantaneous, and can easily be abused. Others may also manipulate a person by encouraging a statement to be made on Twitter, Facebook, My Space or LinkedIn, for example, when the writer may be upset or vulnerable. Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a referee, team-mate, coach, or sporting body should never be communicated on social network channels, but rather by way of reasoned and logical verbal and written statements and where appropriate, complaints, to the relevant controlling Tournament Director or Member Centre.



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5.10 Social Networking Websites Policy

The IBVFWA acknowledges the emergence of new technology and communication mediums (Social Media), and wish to enable such Social Media to be used to benefit indoor beach volleyball and its participants, and to applaud achievements. However, participants within indoor beach volleyball need to be mindful of the possibility of Social Media being used inappropriately. Inappropriate use may occur unintentionally or when participants do not realise that their comments, once published are in a public forum, and are difficult to retract.

Social Media platforms include:

- a) social networking sites, including Facebook, MySpace, and LinkedIn;
- b) video and photo sharing websites, including Flickr and YouTube;
- c) micro-blogging sites, such as Twitter;
- d) weblogs, including personal blogs or blogs hosted by traditional media publications;
- e) forums and discussion boards;
- f) online encyclopaedias, such as Wikipedia; and
- g) any other web site that allow individual users or companies to use simple publishing tools.

Cautions the IBVFWA recommend include:

- a) do not include personal information of yourself or others in Social Media channels;
- b) do not use offensive, provocative or hateful language in Social Media channels;
- c) 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);
- d) always ask for a person's permission before posting their picture on Social Media platform;
- e) never comment on rumours, do not deny or affirm them or speculate about rumours in Social Media channels; and
- f) always use Social Media/ network forums to add value and promote indoor beach volleyball in a positive way.

In addition to this Policy, IBVFWA may from time to time issue Social Media policies and/ or guidelines that apply to specific individuals.



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6. Complaints Procedures

6.1 Complaints

Any person may report a complaint about a Member bound by this Policy if they reasonably think that a Member has breached this Policy or has otherwise engaged in unethical or inappropriate conduct or behaviour.

IBVFWA aims to provide a simple procedure for complaints based on the principles of procedural fairness (**Natural Justice**). Any person (**Complainant**) may report a complaint about a person/s or organisation bound by this Policy (**Respondent**). Such complaints should be reported to the AO or the relevant Centre Manager.

The Complaints Procedure outlined at Part D of this Policy applies exclusively to the reporting, investigation and resolution of complaints reported under this Policy.

IBVFWA and the Member Centres:

- a) must deal with any complaints about breaches of this Policy promptly, seriously, sensitively and confidentially and in accordance with the Complaints Procedure;
- b) must keep complaints confidential and will not disclose to another person without the complainant's consent, except if required by law or if disclosure is necessary to effectively deal with the complaint; and
- c) recognise that Natural Justice is the minimum standard of fairness to be applied in the investigation and adjudication of a complaint.

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

- a) Centre level or involves people operating at the individual centre level, then the complaint should be reported to and handled by the relevant Club in the first instance;
- b) State level or involves people operating at the state level, then the complaint should be reported to and handled by the relevant Member Federation in the first instance; or
- c) National level, then the complaint should be reported to and handled by the IBVFWA.

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

A Complainant:

- a) must initially attempt to resolve the complaint with the person involved; and



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- b) if this is not possible or reasonable given the sensitivity of the complaint, or that attempt does not provide a satisfactory outcome, the Complainant may notify the AO or the relevant State Member Protection Information Officer and make an informal or formal complaint.

IBVFWA aims for our Complaints Procedure to have integrity and be free of unfair repercussions or victimisation. If at any point in the complaints process the AO, considers that a Complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the IBVFWA Controlling Board for appropriate action which may include disciplinary action against the Complainant.

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

A complaint may be dealt with informally or formally, depending on whether an informal or formal complaint was lodged in accordance with this Policy (see attachments E1 and E2). The Complainant usually decides this unless the AO or relevant Centre Manager considers that the complaint falls outside this Policy and would be better dealt with another way and/or the law requires the complaint/allegation to be reported to an appropriate authority.

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

6.2 Improper Complaints & Victimisation

The Federation and Member Centres aim for the 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 AO or relevant Centre Manager 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 may be referred to the IBVFWA Controlling Board for appropriate action which may include disciplinary action against the complainant.

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



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6.3 Mediation

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

Mediation may occur before or after the investigation of a complaint. If a complainant wishes to resolve the complaint with the help of a mediator, the AO or applicable Centre Manager will, in consultation with the complainant, arrange for a neutral third party mediator where possible. Lawyers are not able to negotiate on behalf of the complainant and/or the respondent. More information on the mediation process is outlined at Part D2 of this Policy.

6.4 Tribunals – Hearings and Appeal

A Tribunal may be convened by IBVFWA in its discretion to hear a formal complaint in the following circumstances:

- a) for an alleged breach of this Policy, as described in section 7 of this Policy; and
- b) when referred to it by:
 - i. the relevant Centre Manager because of the serious nature of the event or the inability to resolve the matter at the Member Federation level;
 - ii. the IBVFWA AO.

The IBVFWA Tribunal Procedure is set out in the IBVFWA Grievance Resolution Regulations (as defined).

A Tribunal may be convened by a Member Federation to hear a formal complaint:

- a) Referred to it by an Association because of the serious nature of the event or the inability to resolve the matter at the Association level;
- b) Referred to it by the State Member Protection Information Officer; and/or
- c) For an alleged breach of this Policy, as described in section 7.

The Member Federation Tribunal procedure can be obtained from the relevant Member Federation and information is supplied on the Member Federation's website.

A respondent may lodge an appeal only to the Appeal Tribunal in respect of a Tribunal decision in accordance with the Grievance Resolution Regulations. The decision of the Appeal Tribunal is final and binding.

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



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7. What is a Breach of this Policy

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

- a) Breaching the Working With Children Code of Conduct;
- b) Bringing indoor beach volleyball and/or any of the Federation Member Centres into disrepute, or acting in a manner likely to bring indoor beach volleyball and/or any of the Federation and Member Centres into disrepute;
- c) Failing to follow IBVFWA Statutes, Regulations and policies (including this Policy) and procedures for the protection, safety and wellbeing of children;
- d) Discriminating against, harassing or bullying (including cyber-bullying) any person;
- e) Victimising another person for reporting a complaint;
- f) Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- g) Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- h) Disclosing to any unauthorised person or organisation any information of a Governing Body that is of a private, confidential or privileged nature;
- i) Making a complaint they knew to be untrue, vexatious, malicious or improper;
- j) Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this Policy; or
- k) Failing to comply with a direction given to the individual or organisation during the discipline process.



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8. Disciplinary Measures

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

- a) Be applied consistent with any contractual and employment rules and requirements;
- b) Be fair and reasonable;
- c) Be based on the evidence and information presented and the seriousness of the breach; and
- d) Be determined in accordance with Part V of the IBVFWA Statutes.

8.1 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:

- a) A direction that the individual make a verbal and/or written apology;
- b) A written warning;
- c) A direction that the individual attend counselling to address their behaviour;
- d) A withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by the applicable Member Centre and/or IBVFWA;
- e) A demotion or transfer of the individual to another location, role or activity;
- f) A suspension of the individual's membership or participation or engagement in a role or activity;
- g) Termination of the individual's membership, appointment or engagement;
- h) A recommendation that the IBVFWA terminate the individual's membership, registration, appointment or engagement;
- i) 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;
- j) A fine;
- k) Any other form of discipline that Tribunal considers appropriate within the limitations described in Part V of the IBVFWA Statutes.

8.2 Organisation

If a finding is made that any Governing Body has breached this Policy, one or more of the following forms of discipline may be imposed by the Tribunal:

- a) A written warning;
- b) A fine;
- c) A direction that any rights, privileges and benefits provided to that organisation by IBVFWA or other peak association be suspended for a specified period;
- d) A direction that any funding granted or given to it by the relevant Governing Body cease from a specified date;
- e) A direction that the relevant Governing Body cease to sanction events held by or under the auspices of that organisation;
- f) A recommendation to the relevant Member Federation that its membership of the IBVFWA be suspended or terminated in accordance with the relevant constitution or rules; and/or
- g) Any other form of discipline that the Tribunal considers to be reasonable and appropriate.



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8.3 Factors to consider

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

- a) The nature and seriousness of the breach;
- b) If the person(s) knew or should have known that the behaviour was a breach;
- c) The level of contrition;
- d) The effect of the proposed disciplinary measures on the person(s) including any personal, professional or financial consequences;
- e) If there have been relevant prior warnings or disciplinary action;
- f) The ability to enforce discipline if the person(s) is a parent or spectator (even if they are bound by the Policy); and/or
- g) Any other mitigating circumstances.

9. Dictionary

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

In the event that a capitalised term within this Policy is not defined within this Dictionary, its definition is as contained within the IBVFWA Statutes.

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

ASADA is the Australian Sports Anti-Doping Authority.

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

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

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



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Complaint means a complaint made under section 6 of this Policy.

Complainant means a person making a complaint under section 6 of this Policy.

Discrimination means treating or proposing to treat someone less favourably because of a particular characteristic in the same or similar circumstances in certain areas of public life (Direct Discrimination), or imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics (Indirect Discrimination). The characteristics covered by discrimination law across Australia include, but are not limited to:

- a) Age;
- b) Disability;
- c) Family/carer responsibilities;
- d) Gender identity/transgender status;
- e) Homosexuality and sexual orientation;
- f) Irrelevant medical record;
- g) Irrelevant criminal record;
- h) Political belief/activity;
- i) Pregnancy and breastfeeding;
- j) Race;
- k) Religious belief/activity;
- l) Sex or gender;
- m) Social origin;
- n) Trade union membership/activity;
- o) Physical features;
- p) Association with a person with one or more of the characteristics listed above.

Examples of Discrimination include:

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



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IBVFWA Statutes means IBVFWA's statutes as promulgated by IBVFWA from time to time, including its constitution and by-laws and rules and regulations and policies and procedures (including the Grievance Resolution Regulations).

Federation and Member Centres means IBVFWA and the Member Centres of IBVFWA.

Grievance Resolution Regulations means the IBVFWA Grievance Resolution Regulations promulgated by IBVFWA or such document that supersedes or replaces the IBVFWA Grievance Resolution Regulations which is available on IBVFWA's website at <http://www.indoorbeachvolley.com>.

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

Unlawful harassment targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some other personal characteristic protected by law (see characteristic list under discrimination). Unlawful harassment includes Sexual Harassment.

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

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

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

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

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

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

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



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Investigator means the person appointed pursuant to Step 4 of the Complaint Handling Procedures as outlined at Part D.

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

Member Centre has the same meaning as in the IBVFWA Statutes, being an Indoor Beach Volleyball Centre that is a member or interim member of IBVFWA from time to time and includes:

- a) **Bunbury Indoor Beach Volleyball Centre** www.indoorbeachvolleyball.com/bunbury;
- b) **Canning Vale Indoor Beach Volleyball Centre** www.indoorbeach.com.au;
- c) **Fremantle Indoor Beach Volleyball Centre** www.fremantleindoor.com.au;
- d) **Joondalup Indoor Beach Volleyball** www.indoorbeachvolleyball.com/joondalup;
- e) **Malaga Indoor Beach Volleyball Centre** www.indoorbeachvolleyball.com/malaga;
- f) **Mandurah Indoor Beach Volleyball Centre** www.mandurahindoorsportz.com.au;
- g) **Osborne Park Indoor Beach Volleyball Centre** www.ossieindoorbeachvolleyball.com.au;

Member Protection Declaration means the declaration contained at Attachment C2 of this Policy.

Administration Officer (AO) means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy at the IBVFWA level. The AO provides impartial and confidential support to the person making the complaint.

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

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

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

Policy means this IBVFWA Member Protection Policy.

Respondent means the person who is being complained about.

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



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

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

- a) Rape
- b) Indecent assault
- c) Sexual assault
- d) Assault with intent to have sexual intercourse
- e) Incest
- f) Sexual penetration of child under the age of 16
- g) Indecent act with child under the age of 16
- h) Sexual relationship with child under the age of 16
- i) Sexual offences against people with impaired mental functioning
- j) Abduction and detention
- k) Procuring sexual penetration by threats or fraud
- l) Procuring sexual penetration of child under the age of 16
- m) Bestiality
- n) Soliciting acts of sexual penetration or indecent acts
- o) Promoting or engaging in acts of child prostitution
- p) Obtaining benefits from child prostitution
- q) Possession of child pornography
- r) Publishing child pornography and indecent articles.

State Member Centre Managers means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy at the Member Federation level. The State Member Centre Manager provides impartial and confidential support to the person making the complaint. The contact details of the State Member Centre Managers are available on the relevant Member Centre's website.

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

Tribunal means the Tribunal granted jurisdiction to hear complaints made under this Policy pursuant to the IBVFWA Statutes.

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

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



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Working With Children Check or WWCC means the relevant process for assessing or re-assessing whether a person is suitable to work in child-related work in Western Australia.

Working With Children Code of Conduct means IBVFWA Working With Children Code of Conduct in Part B of this Policy.

World Anti-Doping Agency's Prohibited List means the list published by the World Anti-Doping Agency. It identifies substances and methods prohibited in-competition, out-of-competition and in particular sports.



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PART B: IBVFWA WORKING WITH CHILDREN CODE OF CONDUCT

This Code of Behaviour aims to set out the minimum standards for anyone involved in indoor beach volleyball. It should apply when playing, training or taking part in club-sanctioned activities.

1. Coaches Code of Conduct

In addition to the IBVFWA Code of Conduct, you must meet the following requirements during any activity held or sanctioned by IBVFWA or a Member Federation Centre and in your role as a coach of IBVFWA or a Member Federation Centre:

- (a) Operate within IBVFWA rules and promote integrity and good character amongst participants.
- (b) Encourage and support opportunities for participants to learn appropriate behaviours and skills in all aspects of the sport.
- (c) Treat each participant as an individual.
- (d) Help each participant reach their potential - respect the talent, developmental stage and goals of each individual and encourage with positive and supportive feedback.
- (e) Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with participants under the age of 18 years.
- (f) Place the safety and welfare of the participants above all else.
- (g) Adopt appropriate and responsible behaviour and ensure that your decisions and actions contribute toward creating an environment which minimises participant behaviour likely to bring the game of indoor beach volleyball into disrepute. Such behaviour is not to be tolerated and includes:
 - i. Discriminatory behaviour, including public disparagement of, discrimination against, or vilification of, a person on account of their gender, ability, cultural background or religion;
 - ii. Offensive behaviour, including abusive, obscene, harmful, provocative or insulting gestures, language or chanting;
 - iii. Intimidation of match officials, coaches or administrators or the use of actions to pressure a match official, coach or administrator to take or omit to take certain action regardless of where such action is taken;
 - iv. Unwelcome physical contact or harassment which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstances;
 - v. Abuse of position to obtain personal benefit;



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- vi. Commission or charge of a criminal offence; or
- vii. Any other conduct, behaviour or statement that materially injures the reputation and goodwill of IBVFWA or indoor beach volleyball generally.

12. Participants Code of Conduct

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

- (a) Respect the rights, dignity and worth of fellow participants, coaches, officials and spectators.
- (b) Respect the talent, potential and development of fellow team members and competitors.
- (c) Care and respect the equipment provided to you as part of your program.
- (d) Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
- (e) Maintain honesty in your attitude and preparation to training. Work equally hard for yourself and your team.
- (f) Cooperate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.
- (g) Ensure that you do not exhibit behaviour that is likely to be construed as bringing the IBVFWA or the game of indoor beach volleyball into disrepute, as outlined by Article 1(g).

3. Officials Code of Conduct

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

- (a) Operate within IBVFWA rules and promote integrity and good character amongst participants.
- (b) Encourage and support opportunities for participants to learn appropriate behaviours and skills in all aspects of the sport.
- (c) Treat each participant as an individual.
- (d) Help each participant reach their potential - respect the talent, developmental stage and goals of each individual and encourage with positive and supportive feedback.
- (e) Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance will exist) with participants under the age of 18 years.



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- (f) Place the safety and welfare of the participants above all else.
- (g) Maintain consistency and impartiality when making decisions
- (h) Address unsporting behaviour and promote respect for all participants
- (i) Adopt appropriate and responsible behaviour and ensure that your decisions and actions contribute toward creating an environment which minimises participant behaviour likely to bring the game of indoor beach volleyball into disrepute. Such behaviour is not to be tolerated and includes:
 - i. Discriminatory behaviour, including public disparagement of, discrimination against, or vilification of, a person on account of their gender, ability, cultural background or religion;
 - ii. Offensive behaviour, including abusive, obscene, harmful, provocative or insulting gestures or language;
 - iii. Intimidation of officials, coaches or administrators or the use of actions to pressure a match official, coach or administrator to take or omit to take certain action regardless of where such action is taken;
 - iv. Unwelcome physical contact or harassment which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable in the circumstances;
 - v. Abuse of position to obtain personal benefit;
 - vi. Commission or charge of a criminal offence; or
 - vii. Any other conduct, behaviour or statement that materially injures the reputation and goodwill of IBVFWA or indoor beach volleyball generally.

4. Parent/Guardian Code of Conduct

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

- (a) Treat your child the same irrespective of them winning or losing.
- (b) Remember that your child participates in the sport of indoor beach volleyball for their enjoyment and not yours.
- (c) Try to have fun when you are around your children at competitions. Well-directed humour can be a great de-stressor.
- (d) Look relaxed, calm and positive on the sidelines.



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- (e) Make friends with other parents at tournaments.
- (f) Get involved in appropriate ways if your child or the coach behaves in unacceptable ways during competitions.
- (g) Let the coach do the coaching.
- (h) Understand that children will benefit from a break sometimes and that involvement in other sports is acceptable.
- (i) Be there when your child performs poorly. Be an understanding listener rather than a critic, judge and/or fixer.
- (j) Be prepared to give your child some space so that he/she can grow and develop as an independent person.
- (k) Let your child know that your love for them is not associated with their sporting performances.
- (l) Communicate with your child and ask them how they are really feeling about their sport and about competing in particular.
- (m) Occasionally let your child compete without you being there and hovering over them.
- (n) Emphasise the good things your child did in preparing for and during the competition.
- (o) Try to avoid:
 - i. Saying “we’re playing today” and instead say “you’re playing today”; give your child credit for accepting the responsibility of playing;
 - ii. Getting too pushy or believing that you are indispensable, let the coach do the coaching;
 - iii. Living through your child’s performances;
 - iv. Turning away when your child performs;
 - v. Turning away when your child’s behaviour is unsportsmanlike;
 - vi. Telling your child what he/she did wrong after a tough competition;
 - vii. Making enemies with your child’s opponents or family during a competition;
 - viii. Making your child feel guilty by reminding them about all the time, money and sacrifices you are making for his or her sport;
 - ix. Thinking of your child’s sporting performances as an investment for which you expect a return;
 - x. Badgering, harassing or use sarcasm to motivate your child;
 - xi. Comparing your child’s performances with those of other children; or
 - xii. Forcing your child to go to training, if they are sick of training find out why and discuss it with them.



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PART C: SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS

Background

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

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

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

The state WWCC requirements apply regardless of any provisions within this Policy.

The following attachments provide:

- a) Summary information on state and territory WWCC requirements and where to obtain more information and relevant forms;
- b) Our Member Protection Declaration

Please note: Working With Children Check exemptions

At the time of this Policy, it was proposed that there be national exemptions to Working with Children Checks for paid employees and volunteers who are required to cross state or territory borders for work related purposes.

It was proposed that these exemptions will be for up to 30 days in any 12 month period and will enable workers to participate in national and inter-jurisdictional activities on a short-term basis. This would mean that volunteers and workers with a valid WWCC in their home state or territory will be able to participate in short-term activities across state and territory borders without the need for additional checks.

Accordingly, IBVFWA suggests that personnel who have a WWCC in their state or territory and who intend to participate in activities across state and territory borders, check whether these exemptions may apply to them.



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Attachment C2: MEMBER PROTECTION DECLARATION

IBVFWA has a duty of care to all those associated with the sport and to the individuals and organisations to whom our Member Protection Policy applies. As a requirement of our Member Protection Policy, IBVFWA must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

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

sincerely declare:

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

Declared in the State/Territory of

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

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

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

Name:.....

Signature

Date:



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Attachment C3: WORKING WITH CHILDREN CHILD PROTECTION REQUIREMENTS

The following information was updated in September 2012. It is subject to change at any time.

WORKING WITH CHILDREN CHECK (WWCC) IN WESTERN AUSTRALIA

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

Applicants will be issued with either:

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

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

For more information visit www.checkwwc.wa.gov.au or call 1800 883 979 (toll free).



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PART D: COMPLAINT HANDLING PROCEDURES

Attachment D1: COMPLAINTS PROCEDURE

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

Depending on the nature of 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, IBVFWA may have difficulty assisting you to resolve your complaint. Procedural Fairness (Natural Justice) means that IBVFWA is required to provide the person/people you have complained about with full details of the complaint so they have an opportunity to be heard and/or to respond.

INFORMAL COMPLAINTS

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

In the first instance, you (**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 the State

Talk with the AO 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 contact information for the State Member Centre Managers can be found on the websites of the relevant Member Centres. The AO can be contacted by emailing admin@indoorbeachvolleyball.com.

The AO or relevant State Member Centre Manager will:

- Take confidential notes about your complaint;
- Try to find out the facts of the problem;
- Ask what outcome/how you want the problem resolved and if you need support;
- Provide possible options for you to resolve the problem;
- Explain how the Complaints Procedure works;
- Act as a support person if you so wish;
- Refer the complainant back to attempt to resolve the complaint directly with the other person involved, if necessary;
- Keep a written record in Attachment E1 (Record of Informal Complaint);
- 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.



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Step 3: Outcomes from initial contact

After talking with the AO or relevant State Member Centre Manager, 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 the AO or relevant State Member Centre Manager);
- To seek a mediated resolution with the help of a third person (such as a mediator); or
- To make a formal complaint to the AO on a completed and signed Attachment E2 (Record of Formal Complaint).

FORMAL COMPLAINTS

Step 4: Making a Formal complaint

If your informal complaint is not resolved or informal approaches have not resolved the complaint to the complainant's satisfaction or are not appropriate or possible, you may:

- Make a formal complaint in writing to the AO or relevant State Member Centre Manager; or
- Approach a relevant external agency such as an anti-discrimination commission, for advice.

On receiving a formal complaint and based on the material you have provided, the AO or relevant State Member Centre Manager will decide whether:

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

In making the decision(s) outlined above, the AO or relevant Centre Manager will take into account:

- Whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
- Your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- The relationship between you and the respondent (for example an actual or perceived power imbalance between you and the respondent);
- Whether the facts of the complaint are in dispute; and
- The urgency of the complaint, including the possibility that you will be subject to further unacceptable behaviour while the complaint process is underway.

If the AO or relevant State Member Centre Manager is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:



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

In the event that the matter is to be dealt with by IBVFWA and further investigation is required, IBVFWA will appoint its general counsel, other senior manager or, if it considers it appropriate in the circumstances, an independent expert (Investigator) to investigate the complaint.

In the event that the matter is to be dealt with by the Member Centre and further investigation is required, the Manager of that Member Centre will appoint an appropriate person, whether a Member Federation employee or otherwise, (Investigator) to investigate the complaint.

Step 5: Investigation of the complaint

In accordance with Attachment D3 of this Policy, on completion of his or her investigation, the Investigator appointed under Step 4 above must provide written report to the AO or relevant State Member Protection Information Officer for a determination by IBVFWA or the relevant Member Federation as to what further action should be taken.

If the complaint is referred to:

- a) mediation, it will be conducted in accordance with Part D2 or as otherwise agreed by you and the respondent and the mediation provider;
- b) a hearings Tribunal, the hearing will be conducted in accordance with the Grievance Resolution Regulations; or
- c) the police or other appropriate authority, IBVFWA will use its best endeavours to provide all reasonable assistance required by the police or other authority.

It must be made clear to all parties that the Investigator is not seeking to resolve the matter, or to decide whether any breach of this Policy has occurred, or to impose any penalty. Any decision about Policy breach must be referred to an independent Tribunal, and wherever possible, mediations should be conducted by an independent mediator.

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

Step 6: Documenting the resolution

The AO or relevant State Member Centre Manager will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a Member Centre level, the information will be stored in the state association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the IBVFWA level, the documents will be stored at the IBVFWA office with a copy stored at the relevant Member Centre.



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EXTERNAL APPROACHES or COMPLAINTS

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

Once a complaint is received by an anti-discrimination commission, it will investigate. If it appears that unlawful harassment or discrimination has occurred, the commission will conciliate the complaint confidentially. If this fails, or is inappropriate, the complaint may go to a formal hearing where a finding will be made. The Tribunal will decide upon what action, if any, will be taken. This could include financial compensation for such things as distress, lost earnings or medical and counselling expenses incurred. If you do lodge a complaint under anti-discrimination law, you may use an appropriate person as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

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



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Attachment D2: MEDIATION

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

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



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Attachment D3: INVESTIGATION PROCESS

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

1. The relevant Governing Body will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The Investigator will:
 - a) Interview the Complainant and record the interview in writing.
 - b) Convey full details of the complaint to the Respondent(s) so that they can respond.
 - c) Interview the Respondent to allow them to answer the complaint, and record the interview in writing.
 - d) Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
 - e) deliver a report to the relevant Governing Body as to whether in their view 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; and if requested, recommend whether the matter should be referred to a Tribunal for determination as to whether there has been a breach of this Policy and any appropriate sanctions.
2. We will provide a report to the Complainant and the Respondent(s) documenting the complaint, the investigation process and summarising key points concerning the investigation.
3. The Complainant and the Respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. AO or other person).



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Attachment D4: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

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

Step 1 – Initial Receipt of an Allegation

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

- Stay calm;
- Listen, be supportive and do not 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 AO or relevant State Member Centre Manager 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).



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Step 3 – Protect the child and manage the situation

- The AO or relevant State Member Centre Manager will assess the risks and take interim action to ensure the child's/children's safety. Action the relevant Governing Body may implement includes redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined, however it is not the AO's role to undertake such actions. The relevant Governing Body should seek legal advice if person is in a paid employment.
- The AO or relevant State Member Centre Manager will consider the kind of support that the children and parents may need (e.g. counselling, help lines, support groups).
- The AO or relevant State Member Centre Manager will address the support needs of the alleged offender.
- The AO or relevant State Member Centre Manager 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 relevant Governing Body).
- Irrespective of the findings of the child protection and/or police inquiries, the relevant Governing Body will assess the allegation to decide whether the person should be reinstated, banned, have their employment or position terminated or any other action having regard for all the information, including the findings of the police, government agency and/or court.
- If disciplinary action is to be taken, the procedures outlined in Clause 8 of the Policy will be followed.
- If disciplinary action is taken, IBVFWA will advise and provide a report to the relevant government authority should this be required.
-



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PART E: REPORTING REQUIREMENT AND DOCUMENTS

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

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

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

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

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

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

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

For more information: visit <http://www.dcp.wa.gov.au/ChildProtection/> or call 1800 622 258.



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ATTACHMENT E1: CONFIDENTIAL RECORD OF INFORMAL COMPLAINT

Name of person receiving complaint			Date: / /
Complainant's Name	<input type="checkbox"/> Over 18	<input type="checkbox"/> Under 18	
Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Athlete/player <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Official	<input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Support Personnel <input type="checkbox"/> Other	
Location/event of alleged issue			
Facts as stated by complainant		
Nature of complaint (category/basis/grounds) Can tick more than one box	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexuality <input type="checkbox"/> Race <input type="checkbox"/> Religion <input type="checkbox"/> Other	<input type="checkbox"/> Pregnancy <input type="checkbox"/> Personality Clash <input type="checkbox"/> Bullying <input type="checkbox"/> Disability <input type="checkbox"/> Child Abuse	<input type="checkbox"/> Verbal Abuse <input type="checkbox"/> Physical Abuse <input type="checkbox"/> Victimisation <input type="checkbox"/> Unfair Decision
What they want to happen to fix issue			
What information provided			
What they are going to do now			

This record and any notes must be kept in a confidential and safe place – do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be sent to the relevant AO.



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ATTACHMENT E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT

Complainant	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	<table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Administrator (volunteer)</td> <td><input type="checkbox"/> Parent</td> </tr> <tr> <td><input type="checkbox"/> Athlete/player</td> <td><input type="checkbox"/> Spectator</td> </tr> <tr> <td><input type="checkbox"/> Coach/Assistant Coach</td> <td><input type="checkbox"/> Support Personnel</td> </tr> <tr> <td><input type="checkbox"/> Employee (paid)</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td><input type="checkbox"/> Official</td> <td>.....</td> </tr> </table>		<input type="checkbox"/> Administrator (volunteer)	<input type="checkbox"/> Parent	<input type="checkbox"/> Athlete/player	<input type="checkbox"/> Spectator	<input type="checkbox"/> Coach/Assistant Coach	<input type="checkbox"/> Support Personnel	<input type="checkbox"/> Employee (paid)	<input type="checkbox"/> Other	<input type="checkbox"/> Official								
<input type="checkbox"/> Administrator (volunteer)	<input type="checkbox"/> Parent																			
<input type="checkbox"/> Athlete/player	<input type="checkbox"/> Spectator																			
<input type="checkbox"/> Coach/Assistant Coach	<input type="checkbox"/> Support Personnel																			
<input type="checkbox"/> Employee (paid)	<input type="checkbox"/> Other																			
<input type="checkbox"/> Official																			
Person complained about (respondant)	Name: <input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18																			
Complainant's Role/status	<table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Administrator (volunteer)</td> <td><input type="checkbox"/> Parent</td> </tr> <tr> <td><input type="checkbox"/> Athlete/player</td> <td><input type="checkbox"/> Spectator</td> </tr> <tr> <td><input type="checkbox"/> Coach/Assistant Coach</td> <td><input type="checkbox"/> Support Personnel</td> </tr> <tr> <td><input type="checkbox"/> Employee (paid)</td> <td><input type="checkbox"/> Other</td> </tr> <tr> <td><input type="checkbox"/> Official</td> <td>.....</td> </tr> </table>		<input type="checkbox"/> Administrator (volunteer)	<input type="checkbox"/> Parent	<input type="checkbox"/> Athlete/player	<input type="checkbox"/> Spectator	<input type="checkbox"/> Coach/Assistant Coach	<input type="checkbox"/> Support Personnel	<input type="checkbox"/> Employee (paid)	<input type="checkbox"/> Other	<input type="checkbox"/> Official								
<input type="checkbox"/> Administrator (volunteer)	<input type="checkbox"/> Parent																			
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<input type="checkbox"/> Official																			
Location/event of alleged issue																				
Description of alleged issue																				
Nature of complaint (category/basis/ grounds) Can tick more than one box	<table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Harassment or</td> <td><input type="checkbox"/> Pregnancy</td> <td><input type="checkbox"/> Verbal Abuse</td> </tr> <tr> <td><input type="checkbox"/> Discrimination</td> <td><input type="checkbox"/> Personality Clash</td> <td><input type="checkbox"/> Physical Abuse</td> </tr> <tr> <td><input type="checkbox"/> Sexuality</td> <td><input type="checkbox"/> Bullying</td> <td><input type="checkbox"/> Victimisation</td> </tr> <tr> <td><input type="checkbox"/> Race</td> <td><input type="checkbox"/> Disability</td> <td><input type="checkbox"/> Unfair Decision</td> </tr> <tr> <td><input type="checkbox"/> Religion</td> <td><input type="checkbox"/> Child Abuse</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other</td> <td>.....</td> <td></td> </tr> </table>		<input type="checkbox"/> Harassment or	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Verbal Abuse	<input type="checkbox"/> Discrimination	<input type="checkbox"/> Personality Clash	<input type="checkbox"/> Physical Abuse	<input type="checkbox"/> Sexuality	<input type="checkbox"/> Bullying	<input type="checkbox"/> Victimisation	<input type="checkbox"/> Race	<input type="checkbox"/> Disability	<input type="checkbox"/> Unfair Decision	<input type="checkbox"/> Religion	<input type="checkbox"/> Child Abuse		<input type="checkbox"/> Other	
<input type="checkbox"/> Harassment or	<input type="checkbox"/> Pregnancy	<input type="checkbox"/> Verbal Abuse																		
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<input type="checkbox"/> Sexuality	<input type="checkbox"/> Bullying	<input type="checkbox"/> Victimisation																		
<input type="checkbox"/> Race	<input type="checkbox"/> Disability	<input type="checkbox"/> Unfair Decision																		
<input type="checkbox"/> Religion	<input type="checkbox"/> Child Abuse																			
<input type="checkbox"/> Other																			
Methods (if any) of attempted informal resolution																				



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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 national level, the original must be forwarded to the national body and a copy kept at the club/state/district level (whatever level the complaint was made).



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ATTACHMENT E3: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

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

Complainant's Name (if other than the child)		Date Formal Complaint Received: / /
Role/status in sport		
Child's Name:		Age:
Child's Address		
Person's reason for suspecting abuse (e.g. observation, injury, disclosure)		
Name of person complained about		
Role/status in sport	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> 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's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	
Government agency contacted	Who: When: Advice provided:	



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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.