

**MEMBER PROTECTION POLICY
(MPP)
of
THE
BILLIARDS AND SNOOKER ASSOCIATION
OF THE ACT
(BSAACT)**

**VERSION #1
May 2020**

CONTENTS

PART	HEADING	PAGE	PART	HEADING	PAGE
	Contents	2			
	Preface	3	PART B	CODES	
	Review History	3	B1	Code of Conduct	10
PART A	MEMBER PROTECTION POLICY		B1.1	Bringing the game into disrepute	10
1	Introduction	4	B2	Codes of behaviour (COB)	
2	Purpose of this Policy	4	B2.1	General COB	11
3	Who is bound by this Policy	4	B2.2	Coaches COB	12
4	Responsibilities of BSAACT	5	B2.3	Officials, volunteers COB	12
5	Individual responsibilities	5	B2.4	Players COB	13
6	Social Networking	5	B2.5	Spectators COB	13
7	Position Statements		B2.6	Junior Players COB	13
7.1	Child protection	6			
7.2	Discrimination, harassment and bullying	6	PART C	SCREENING	14
7.2.1	Anti-discrimination/harassment	6	PART D	COMPLAINT HANDLING	14
7.2.2	Discrimination	6			
7.2.3	Harassment	7	PART E	REPORTING REQUIREMENTS	15
8	Complaints procedures				
8.1	Handling complaints	7			
8.2	Improper complaints and victimisation	7	ATTACHMENTS		
8.3	Mediation	8	A1	Dictionary of terms	16
8.4	Tribunals	8	C1	Member Protection Declaration	18
9	What is a breach of this policy	8	C2	Working with Vulnerable People	19
10	Disciplinary measures		D1	Complaints procedure	20
10.1	Types of discipline	9	D2	Mediation	22
10.2	Factors to consider	9	D3	Investigation procedure	23
			D4	Tribunal procedures	24
			E1	Record of complaint	27

Preface

BSAACT's vision to grow a thriving cue sport community in the Canberra region will be enhanced by the Association introducing this Member Protection Policy that will ensure all members are aware of their rights and responsibilities. It is also important as we move towards introducing Junior Development that all members are informed of their responsibilities in relation to Child Safety and Protection in our Sport through the Membership Protection Policy.

The adoption of this Policy is an important step in relation to accountability of the BSAACT Committee and its members and will give a clear message to prospective members that we are a fair and inclusive sporting organization.

I believe the Member Protection Policy will serve our sport in the ACT region for many years to come.

Lorraine O'Bryan
President
BSAACT
May 2020

Review history of *BSAACT's* Member Protection Policy(MPP)

<i>Version</i>	<i>Date reviewed</i>	<i>Date endorsed</i>	<i>Content reviewed/purpose</i>
One		May 2020	New BSAACT MPP

PART A: BSAACT MEMBER PROTECTION POLICY

1. Introduction

The aim of the Billiards and Snooker Association of the ACT (BSAACT) is to provide the people of the Australian Capital Territory and its surrounding regions with the opportunity to play in regular, competitive and enjoyable billiards and snooker competitions.

2. Purpose of this policy

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

The attachments to this policy describe the practical steps we will take to ensure that discrimination, harassment, child abuse and other forms of inappropriate behaviour does not occur in our sport. As part of this commitment, the policy allows BSAACT to take disciplinary action against any person bound by this policy if they breach the policy.

This policy has been endorsed by BSAACT and has been incorporated into our By-laws. The policy starts on *20 May 2020* and will operate until replaced.

The current policy and its attachments can be obtained from our website at bsaact.org.au.

3. Who is bound by this Policy

This policy applies to all persons who are involved in the activities of BSAACT whether they are in a paid or unpaid/voluntary capacity including

- persons appointed or elected to committees and sub-committees.
- members of the *BSAACT* Executive.
- support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others.
- coaches and assistant coaches.
- players.
- referees, umpires and other officials.
- members, including life members of BSAACT.
- athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by BSAACT.
- any other person to whom the policy may apply.

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

4. Responsibilities of BSAACT

BSAACT must:

- ensure that this policy is enforceable
- publish, distribute and promote this policy and the consequences of any breaches of the policy
- promote and model appropriate standards of behaviour at all times
- deal with any complaints made under this policy in an appropriate, sensitive, fair, timely and confidential manner
- deal with any breaches of this policy in an appropriate manner
- recognize and enforce any penalty imposed under this policy
- ensure that a copy of this policy is available or accessible to all persons to whom this policy applies
- use appropriate people to receive and manage complaints and allegations of inappropriate behavior
- monitor and review this policy at least annually.

5. Individual responsibilities

Individuals bound by this policy must:

- make themselves aware of the contents of this policy.
- comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy.
- consent to the screening requirements set out in Part C of this policy, if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law.
- place the safety and welfare of children above other considerations.
- be accountable for their behaviour. and,
- comply with any decisions and/or disciplinary measures imposed under this policy.

6. Social networking

BSAACT acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport. Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter.

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

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

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

7. Position statements

7.1 Child protection

BSAACT is committed to the safety and well-being of all children and young people who participate in our sport or access our services. We will adopt and support the “National Principles for Child Safe Organisations” and will act at all times to ensure that a child-safe environment is maintained. Further information on BSAACT’s commitment to Child Protection can be obtained in BSAACT’s Child Protection Policy.

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

7.2 Prohibition against discrimination and harassment

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the “Definitions” set out in the Dictionary of Terms [see clause 10].

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

7.2.1 Anti-discrimination and harassment

BSAACT opposes all form 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 behavior that is offensive, abusive, belittling, intimidating or threatening – whether this is face- to- face, indirectly or via communications technologies such as mobile phones or computers.

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

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

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

Discrimination can be either direct or indirect.

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

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

7.2.3 Harassment

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

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

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

8. Complaints procedures

8.1 Handling complaints

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

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

All complaints should be reported in writing to the BSAACT's Committee.

The BSAACT Committee should consider whether that is an appropriate way to handle the particular complaint. For example, the law may require that the complaint/allegation be reported to an appropriate authority as would be required in the situation where an offence has been reported in the case of a child.

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

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

8.2 Improper complaints and victimisation

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

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

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

8.3 Mediation

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

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

If a complainant wishes to resolve the complaint with the help of a mediator, the BSAACT Committee will, in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to participate in the mediation process.

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

8.4 Tribunals

In accordance with BSAACT's Constitution a Judiciary may be convened to hear a proceeding referred to it by the BSAACT Committee.

Our Judiciary procedure is outlined in BSAACT's Constitution Section 2.9.

A respondent may lodge an appeal to the Appeal Judiciary in respect of a Judiciary decision. The decision of the Appeal Judiciary is final and binding on the people involved. Our appeals process is outlined in BSAACT's Constitution Section 2.10.

Every organization bound by this policy will recognize and enforce any decision of a Judiciary or Appeal Judiciary under this policy.

9. What is a breach of this policy

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

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

10. Disciplinary measures

BSAACT may impose disciplinary measures on an individual or organization for a breach of this policy.

Any disciplinary measure imposed will be:

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

10.1 Individual

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 direction that the individual issue a verbal and/or written apology:
- a written warning:
- a direction that the individual attend counselling to address their behaviour:
- a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by BSAACT:
- a demotion or transfer of the individual to another location, role or activity:
- a suspension of the individual's membership or participation or engagement in a role or activity:
- termination of the individual's membership, appointment or engagement:
- a recommendation that BSAACT terminate the individual's membership, appointment or engagement:
- a fine:
- any other form of discipline that BSAACT's committee considers appropriate.
- 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:

10.2 Factors to consider

The form of discipline to be imposed on a member will depend on factors, such as:

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

any other mitigating circumstances.

ATTACHMENTS:

Attachment A1 Dictionary of terms

PART B

B1 Code of Conduct

- A. This Code of Conduct aims to promote and strengthen the reputation of snooker and billiards in the A.C.T. by establishing standards of performance, behaviour and professionalism for all BSAACT members. It also seeks to deter conduct that could reduce public confidence in BSAACT or in the integrity and good character of its members.
- B. This Code:
 - a) forms part of BSAACT's Statutes and applies to the conduct and behaviour of its members:
 - b) applies to all forms of organised snooker and billiards under BSAACT's jurisdiction:
 - c) continues to apply to a Member even after that Member's association with BSAACT has ended, if that Member breached the Code while a current Member:
 - d) does not limit or restrict the application of BSAACT's Statutes:
 - e) This Code of Conduct may be supplemented by additional Codes of Behaviour or Ethics, provided they are not inconsistent with the terms of this code.

B1.1 Bringing the game into disrepute

- A. a member must not bring BSAACT or the games of snooker and billiards into disrepute.
- B. without limiting the generality of Clause A (above), a Member will be taken as having brought the game into disrepute if they are involved in any of the following:
 - a) discriminatory behaviour, including vilification or disparagement of, or discrimination against, a person on account of an attribute,
 - b) harassment, including sexual harassment or any unwelcome sexual conduct which makes a person feel offended, humiliated and/or intimidated where that reaction is reasonable,
 - c) offensive behaviour, including obscene, provocative, insulting or offensive gestures or language, or offensive material on clothing,
 - d) provocation or incitement of hatred or violence,
 - e) intimidation of officials,
 - f) abuse of their position to obtain personal benefit,
 - g) offering bribes or other benefits to a player or official to incite them to breach BSAACT Statutes,
 - h) any other conduct, behaviour or statement that materially injures the reputation and goodwill of BSAACT or the sport generally.
- C. Members are entitled to have their privacy respected and this Code is not intended to apply to private activities engaged in by Members that are not in the public domain.

B.2: Codes of Behaviour

BSAACT seeks to provide a safe, fair and inclusive environment for everyone involved in our organization and in our sport.

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

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

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

B2.1 General Code of Behaviour

As a Member of BSAACT required to comply with BSAACT's Member Protection Policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by BSAACT, and in any role you hold in BSAACT.

These requirements include:

- a) having respect for the rights, dignity and worth of others regardless of their attributes,
- b) being fair, considerate and honest in all dealings with others,
- c) being professional in, and accepting responsibility for, your actions,
- d) making a commitment to provide quality service,
- e) being aware of, and maintaining adherence to, BSAACT's standards, rules, regulations and policies,
- f) operating within the rules of the sport including national and international guidelines that govern BSAACT,
- g) not using your involvement with BSAACT to promote your own beliefs, behaviours or practices where these are inconsistent with those of BSAACT,
- h) demonstrating a high level of individual responsibility especially when dealing with any person under 18 years of age,
- i) refraining from using any form of harassment, or offensive language or behaviour,
- j) providing a safe environment for the conduct of the activity,
- k) refraining from any behaviour that may bring BSAACT into disrepute,
- l) showing concern and caution for others who may be sick or injured,
- m) being a positive role model,
- n) understanding the repercussions if you breach, or are aware of any breaches of, these codes of behaviour.
- o) never engaging, directly or indirectly, in any form of financial speculation where you stand to gain from the win, loss or draw at any match in which you are a competitor.
- p) never engaging in any conduct or behaviour intended to bring about a result other than that which would be achieved in a fair contest.
- q) respect the equipment and the facility you use in playing snooker or billiards.
- r) report any damaged or unsafe equipment to the Competition Director.
- s) ensure that infection control protocols are followed as well as any other public health directives.
- t) not tolerating or initiating acts of aggression.

B2.2 Coaches Code of Behaviour

In addition to BSAACT's Code of Conduct and General Code of Behaviour, coaches must meet the following requirements concerning their conduct during any activity held or sanctioned by BSAACT in their role as a coach appointed by BSAACT.

- a) do not tolerate acts of aggression.
- b) provide positive feedback to players and other participants in a manner sensitive to their needs.
- c) treat all players fairly within the context of their sporting activities regardless of their attributes.
- d) recognize players' rights to consult with other coaches and advisors.
- e) encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
- f) involve the players in decisions that affect them.
- g) encourage players to respect others and to expect respect from others regardless of their level of play.
- h) ensure all activities are appropriate to the age, ability, physical condition and experience of the players.
- i) avoid situations with your players that could be construed as compromising.
- j) do not exploit any coaching relationship in order to further personal, political or business interests at the expense of the best interest of your players.
- k) consider the wellbeing and safety of participants before performance and results.
- l) respect other officials' decisions and support them to carry out their roles.
- m) keep up to date and abide by rules, regulations and standards, and encourage players to do the same.
- n) don't smoke or consume alcohol whilst in an official role and act as a role model at all times.
- o) never use or condone offensive language or behaviour.
- p) be honest and ensure that qualifications are not misrepresented.

B.2.3 Officials, Administrators and Volunteers Code of Behaviour

In addition to BSAACT's Code of Conduct and General Code of Behaviour, officials must meet the following requirements in regard to their conduct during any activity held or sanctioned by BSAACT in their role as an official appointed by BSAACT.

- a) place the safety and welfare of the players/participants above all else.
- b) accept responsibility for all actions taken.
- c) maintain strict impartiality.
- d) avoid any situations which may lead to a conflict of interest.
- e) be courteous, respectful and open to discussion and interaction.
- f) value the individual in sport.
- g) be aware of your legal responsibilities.
- h) address unsporting behaviour and promote respect for all participants.
- i) be consistent and impartial in all decision making.
- j) treat everyone with respect regardless of their attributes.
- k) always welcome players, spectators and other support to any activity.

B2.4 Players Code of Behaviour:

In addition to BSAACT's Code of Conduct and General Code of Behaviour, players must meet the following requirements concerning their conduct during any activity held or sanctioned by BSAACT in their role as a player.

- a) respect the rights, dignity and worth of fellow players, coaches, officials and spectators regardless of their attributes.
- b) at all times avoid personal relationships with coaches and other officials.
- c) respect the talent, potential and development of fellow players.
- d) be punctual to all matches, functions and presentations you are involved with.
- e) be courteous to all officials standing at State, National or International competitions.
- f) conduct yourself in a professional manner relating to language and temper.

B2.5 Spectators Code of Behaviour:

BSAACT would encourage spectators to meet the following requirements concerning their conduct during any activity held or sanctioned by BSAACT.

- a) do not use threatening language or behaviour against anyone at a BSAACT event.
- b) treat everyone including the opposition with respect regardless of their attributes.
- c) be friendly to all participants.
- d) stay calm, relaxed and positive in support of the game.
- e) don't arrive or stay at, a sporting venue if intoxicated.
- f) show respect for the officials and decisions they make. They are volunteers without whom the sport could not continue.

B2.6 Junior Players Code of Conduct:

In addition to BSAACT's Code of Conduct and General Code of Behaviour, juniors should meet the following requirements concerning their conduct during any activity held or sanctioned by BSAACT in their role as a junior.

- a) play by the rules.
- b) never argue with an official.
- c) be a good sport.
- d) control your temper.
- e) cooperate with your coach and other participants.
- f) display modesty in winning and graciousness in defeat.
- g) participate for your own enjoyment, not to please others.
- h) treat all other participants as you want to be treated.
- i) respect the rights, dignity and worth of all participants regardless of their attributes.
- j) always play the best you can. Your play will improve and so will you.
- k) thank the opposition and officials at the end of each match.

PART C: SCREENING/ WORKING WITH CHILDREN CHECK REQUIREMENTS

BSAACT is committed to providing a safe environment for children. As part of this, we will recruit officials and volunteers who do not pose a threat to children.

In order to ensure that BSAACT properly delivers programs that involve children and young people, we will fully adopt the “*National Principles for Child Safe Organisations*”. Details are available in BSAACT’s “*Child Protection Policy*” document.

Screening and Working With Vulnerable People in the ACT checks can include criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person’s suitability to work with children and young people.

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

BSAACT has a duty of care to all those associated with us. As a requirement of this Member Protection Policy, we must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

Attachments:

Attachment C1. Member Protection Declaration

Attachment C2. Working with children checking requirements

PART D: COMPLAINT HANDLING PROCEDURES

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

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

BSAACT also provide an appeal process for those matters.

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

ATTACHMENTS

- Attachment D1: Complaints procedure
- Attachment D2. Mediation
- Attachment D3. Investigation procedure
- Attachment D4. Tribunal procedure

PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

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

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

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

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

ATTACHMENT:

Attachment E1. Record of Complaint

ATTACHMENTS

Attachment A1: Dictionary of terms

This Dictionary sets out the meaning of words used in this policy and its attachments, without limiting the ordinary and natural meaning of the words

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

Attributes are any individuals' characteristics. These include gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status, and other conditions.

Any use of the words "us", "our", or "we" refers to BSAACT.

BSAACT means the Billiards and Snooker Association of the Australian Capital Territory

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

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

physical abuse, which occurs when a child has suffered, or is at risk of suffering, non-accidental physical trauma or injury. This may include, but is not limited to, hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity.

sexual abuse, which occurs when an adult, other child, or adolescent uses their power or authority to involve a child in a sexual activity or any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography, including child pornography, or inappropriate touching or conversations).

emotional abuse, which occurs when a child's social, emotional, cognitive or intellectual development is impaired or threatened. Emotional abuse can include, but is not limited to, emotional deprivation due to persistent rejection or criticism, hostility, teasing/bullying, humiliation, taunting, sarcasm, yelling, name-calling or placing unrealistic expectations on a child.

neglect, which occurs when a child's basic necessities of life are not met and their health and development are affected. Basic needs include food, water, shelter, adequate clothing, personal hygiene, timely provision of medical treatment and adequate supervision.

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

Complainant means the person making a complaint.

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

Discrimination occurs when someone is treated (or is proposed to be treated) unfairly or less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws. This is known as direct discrimination. Indirect discrimination occurs when there is (or is proposed) an unreasonable requirement, condition or practice that seems to treat everyone equally, but which has or is likely to have the effect of disadvantaging persons with a personal characteristic covered by anti-discrimination laws.

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

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

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

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

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

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

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

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

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

Member means a financial member of BSAACT

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

Procedural fairness requires that:

the respondent knows the full details of what is being said against him or her and they have the opportunity to respond,

no person may judge their own case, and

the decision-maker(s) must be unbiased, fair and just.

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

Policy, policy and this policy means this Member Protection Policy.

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

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

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

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

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

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

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

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

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

Attachment C1:

MEMBER PROTECTION DECLARATION

I,(full 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, drugs related offences, offences related to children or acts of violence.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organization or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.
4. To my knowledge there is no other matter that BSAACT may consider to constitute a risk to its members, volunteers, athletes or reputation by engaging me.
5. I will notify the President of BSAACT immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above have changed.
6. I am not currently serving a sanction for an anti-doping rule violation under an Australian Sports Anti-Doping Authority (ASADA) approved anti-doping policy applicable to me.
7. 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.

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:

Attachment C2:

WORKING WITH CHILDREN CHECK REQUIREMENTS

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

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

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

The *Working with Vulnerable People (Background Checking) Act 2011* (the WWVP Act) aims to reduce the risk of harm or neglect to vulnerable people in the ACT.

The WWVP Act requires those who work or volunteer with vulnerable people to have a background check and be registered.

The premise of background checking is that the past behaviour of an individual can provide an indication of the possible future behaviour of that individual.

The ACT Government considers the creation of a checking system with appropriate safeguards for people who work with, or who want to work with, vulnerable people is consistent with section 28 of the *Human Rights Act 2004*.

If a person has applied for registration and the Commissioner has not yet made the decision to register them, they may be allowed to work or volunteer with a vulnerable person if the BSAACT Committee agrees and the person is supervised at all times while undertaking the activity.

BSAACT requires that all persons working with vulnerable people under the care of BSAACT holds a current registration of Working with Vulnerable People in the ACT.

Travelling to other states or territories

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

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

The laws providing interstate exemptions are not consistent across Australia.

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

Attachment D1: Complaints procedure

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

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

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

Formal approaches

Step 1: Making a formal complaint:

you may make a formal complaint in writing to the President of BSAACT, or approach a relevant external agency, such as an anti-discrimination or equal opportunity commission, for advice and assistance.

After receiving a formal complaint, and based on the material you provide, the BSAACT Committee will appoint a Judiciary Officer which will decide whether:

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

In dealing with your formal complaint, the BSAACT Judiciary Officer will take into account:

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

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

- provide the information received from you to the other person(s) involved and ask for a response;
- decide if there is enough information to determine whether the matter alleged in your complaint did or did not occur; and/or

- determine what, if any, further action to take, including referring the matter for investigation or disciplinary action in accordance with this policy.

Step 2: Investigating the complaint

In some cases, an investigation may be required to determine the facts surrounding the complaint. Our investigations procedure is outlined in Attachment D3.

Step 3: Reconsidering a complaint or appealing a decision

If the matter is referred to mediation and is not resolved at mediation, you may request that the appointed Judiciary Officer reconsider the complaint in accordance with Step 2.

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

Step 4: Documenting the resolution

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

Approaching external organisations

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

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

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

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

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

Attachment D2: Mediation

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

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

Our approach to mediation follows the steps set out below.

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

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

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

Attachment D3: Investigation process

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

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

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

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

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

Following the investigation, a written report will be provided to the BSAACT Committee.

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

Attachment D4: Tribunal procedures

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

Preparing for a Tribunal hearing:

1. A Judiciary panel will be established, according to the rules set out in BSAACT's Constitution, documents, rules and by-laws, to hear a complaint that has been referred to it by the BSAACT's Committee.
 2. The number of Judiciary panel members required to be present throughout the hearing will be determined by the appointed Judiciary Officer.
 3. The Judiciary panel member/s will be provided with a copy of all the relevant correspondence, reports or information received and sent by the BSAACT Committee relating to the complaint/allegations.
 4. The Judiciary hearing will be held as soon as practicable. However, adequate time must be provided for the respondent(s) to prepare for the hearing.
 5. The appointed Judiciary Officer will inform the respondent(s) in writing that a Judiciary hearing will take place. The notice will outline:
 - that the person has a right to appear at the Judiciary hearing to defend the complaint/allegations.
 - the details of the complaint and of all allegations, as well as the provision or clause of any policy, rule or regulation that has allegedly been breached.
 - the date, time and venue of the Judiciary hearing.
 - that verbal and/or written submissions can be presented at the Judiciary hearing.
 - that witnesses may attend the Judiciary hearing to support the position of the respondent/s.
 - an outline of any possible sanctions that may be imposed if the complaint is found to be true.
 - That legal representation will not be allowed. *[The respondent may be assisted by a support person at a Judiciary hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However, a person cannot be a support person if he or she has been admitted to the practice as a lawyer or worked as a trainee lawyer.]* A copy of any investigation report findings will be provided to the respondent(s).
 6. The appointed Judiciary Officer will notify the complainant in writing that a Judiciary hearing will take place. The notice will outline:
 - that the person has a right to appear at the Judiciary hearing to support their complaint;
 - the details of the complaint, including any relevant rules or regulations the respondent is accused of breaching;
 - the date, time and venue of the Judiciary hearing;
 - that verbal and/or written submissions can be presented at the Judiciary hearing;
 - that witnesses may attend the Judiciary hearing to support the complainant's position;
 - that legal representation will not be allowed. *[The respondent may be assisted by a support person at a Judiciary hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However, a person cannot be a support person if he or she has been admitted to practice as a lawyer or worked as a trainee lawyer.]*
- A copy of the investigation report findings will be provided to the complainant.
7. If the complainant believes the details of the complaint are incorrect or insufficient, he or she should inform the appointed Judiciary Officer as soon as possible so that the

respondent(s) and members of the Judiciary panel can be properly informed of the complaint.

8. If possible, the Judiciary panel should include at least one person with knowledge or experience of the relevant laws/rules (e.g. anti-discrimination).

Judiciary hearing procedure

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

19. Video evidence, if available, may be presented. Arrangements for the viewing of this evidence must be made entirely by the person(s) wishing to offer this type of evidence.
20. If the Judiciary panel considers that at any time during the hearing there is any unreasonable or intimidatory behaviour from anyone, the Judiciary chairperson may deny further involvement of that person in the hearing.
21. After all the evidence has been presented, the Judiciary will make its decision in private. The Judiciary must decide whether the complaint has, on the balance of probabilities, been substantiated.
22. All Judiciary decisions will be by majority vote.
23. The Judiciary chairperson may announce the decision of the Judiciary at the conclusion of the hearing. Alternatively, he or she may reserve the decision of the Judiciary at the conclusion of the hearing and deliver the decision at a later time.
24. The respondent(s) will have the opportunity to make submissions to the Judiciary in relation to any sanctions that may be imposed.
25. Within 48 hours of the Judiciary delivering its decision, the Judiciary chairperson will:
 - forward a notice of the Judiciary's decision to the BSAACT Committee, including details of any sanction imposed.
 - forward a letter reconfirming the Judiciary's decision to the respondent(s), including any sanction imposed. The letter should also outline the process and grounds for an appeal, if allowed.
26. The Judiciary does not need to provide written reasons for its decision.

Appeals procedure

27. A complainant or a respondent(s) may lodge with BSAACT an appeal in relation to the decision of a Judiciary on one or more of the following grounds:
 - 26.1 that a denial of procedural fairness has occurred:
 - 26.2 that the sanction imposed is unjust and/or unreasonable:
 - 26.3 that the decision was not supported by the information/evidence provided at the mediation or to the Judiciary Hearing:
28. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the Secretary of the BSAACT within 7 days of the decision being made.
29. If the letter of appeal is not received by the Secretary of BSAACT within this time, the right of appeal will lapse.
30. The letter of appeal and the notice of the Judiciary's decision (clause 24) will be forwarded to the BSAACT Committee to review and to decide whether there are sufficient grounds for the appeal to proceed. The President of BSAACT may invite any witnesses to the meeting that he or she believes are required to make an informed decision.
31. If the appellant has not shown sufficient grounds for an appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision.
32. If the appeal is accepted, an Appeal Judiciary with new panel members will be convened to rehear the complaint
33. The Judiciary hearing procedure shall be followed for the Appeal Judiciary.
34. The decision of the Appeal Judiciary will be final and binding.

Attachment E1: Record of complaint

Complainant's Name	<ul style="list-style-type: none"> • Over 18 • Under 18 	Date Formal Complaint Received: / /
Complainant's contact details	Phone: Email:	
Complainant's role/position	<ul style="list-style-type: none"> • Administrator (volunteer) • Athlete/player • Coach/Assistant Coach • Employee (paid) • Official 	<ul style="list-style-type: none"> • Parent • Spectator • Support Personnel • Other
Name of person complained about (respondent)	<ul style="list-style-type: none"> • Over 18 	<ul style="list-style-type: none"> • Under 18
Respondent's role/position	<ul style="list-style-type: none"> • Administrator (volunteer) • Athlete/player • Coach/Assistant Coach • Employee (paid) • Official 	<ul style="list-style-type: none"> • Parent • Spectator • Support Personnel • Other
Location/event of alleged incident		
Description of alleged incident		
Nature of complaint (category/basis/grounds) Tick more than one box if necessary	<ul style="list-style-type: none"> • Harassment • Sexual/sexist • Sexuality • Race • Religion • Pregnancy • Other 	<ul style="list-style-type: none"> • Discrimination • Selection dispute • Personality clash • Bullying • Disability • Child Abuse
Methods (if any) of attempted informal resolution		
Formal resolution procedures followed (outline)		

If investigated:	Finding
If heard by Tribunal:	Decision Action recommended
If mediated:	Date of mediation: Both/all parties present Agreement Any other action taken
If decision was appealed	Decision Action recommended
Resolution	<ul style="list-style-type: none"> • Less than 3 months to resolve • Between 3 – 8 months to resolve • More than 8 months to resolve
Completed by	Name: Position: Signature: Date / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept confidential and secure.