



# Bowls Queensland Member Protection Policy

---

## CONTENTS

---

### **PART A - BOWLS QUEENSLAND MEMBER PROTECTION POLICY**

1. Purpose of this policy
2. Who is bound by this policy?
3. Organisational responsibilities
4. Individual responsibilities
5. Position statements
  - 5.1 Child protection
  - 5.2 Taking of images of children
  - 5.3 Anti-discrimination and harassment
  - 5.4 Intimate relationships
  - 5.5 Pregnancy
  - 5.6 Gender identity
  - 5.7 Responsible service and consumption of alcohol
  - 5.8 Smoke-free environment
  - 5.9 Bullying
  - 5.10 Social networking sites
6. Complaints procedures
  - 6.1 Handling complaints
  - 6.2 Vexatious complaints and victimisation
  - 6.3 Mediation
  - 6.4 Tribunals
7. What is a breach of this policy?
8. Disciplinary measures
  - 8.1 Individuals
  - 8.2 Organisations
  - 8.3 Factors to consider
9. Dictionary of terms

### **PART B – ATTACHMENTS: CODES OF BEHAVIOUR**

- B1 BQ Behaviour Policy
- B2 a BQ State representative players & team officials code of conduct
- B2 b BQ State junior representative players and team officials

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

- C1. Member protection declaration
- C2. Working with children check requirements

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

- D1. Complaints procedure
- D2. Mediation
- D3. Investigation procedure
- D4. Tribunal procedures

### **PART E – ATTACHMENTS: REPORTING REQUIREMENTS AND DOCUMENTS**

- E1. Record of informal complaint
- E2. Record of formal complaint
- E3. Procedure for handling allegations of child abuse
- E4. Confidential record of child abuse allegation

# PART A: BOWLS QUEENSLAND MEMBER PROTECTION POLICY

## 1. Purpose of this policy

This Bowls Queensland (BQ) Member Protection Policy aims to assist its members 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 every person bound by the policy is treated with respect and dignity and protected from discrimination, harassment and abuse. It also seeks to ensure everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

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

This policy has been endorsed by BQ board and will operate until replaced.

The current policy and its attachments can be obtained from our website at: [www.bowlsqld.org](http://www.bowlsqld.org)

## 2. Who is bound by this policy?

This policy applies to all persons who are involved with the activities of BQ at State, district and club level whether they are in a paid or unpaid/voluntary capacity.

*[This policy will continue to apply to a person even after they has stopped their association or employment with BQ, if disciplinary action against that person has begun.]*

## 3. Organisational responsibilities

BQ, member districts and affiliated clubs must:

- 3.1 adopt, implement and comply with this policy.
- 3.2 ensure this policy is enforceable.
- 3.3 publish, distribute and promote this policy and the consequences of any breaches of the policy.
- 3.4 promote and model appropriate standards of behaviour at all times.
- 3.5 deal with any complaints made under this policy in an appropriate manner.
- 3.6 deal with any breaches of this policy in an appropriate manner.
- 3.7 recognise and enforce any penalty imposed under this policy.
- 3.8 ensure a copy of this policy is available or accessible to all people and organisations to whom this policy applies.
- 3.9 use responsible people to receive and manage complaints and allegations of inappropriate behaviour ie at State level – BQ board. At other levels, to be determined by governing body from time to time.
- 3.10 monitor and review this policy at least annually.

## 4. Responsibilities

All persons bound by this policy must:

- 4.1 make themselves aware of the contents of this policy.
- 4.2 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.
- 4.3 consent to the screening requirements set out in this policy, and any State/Territory Working with Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law.
- 4.4 place the safety and welfare of children above other considerations.
- 4.5 be accountable for their behaviour.
- 4.6 comply with any decisions and/or disciplinary measures imposed under this policy.

## **5. Position statements**

### **5.1 Child protection**

- (a) Every person and organisation bound by this policy must place the safety and welfare of children above all other considerations.
- (b) BQ acknowledges our staff and volunteers provide a valuable contribution to the positive experiences of our juniors. BQ aims to ensure continuing protection of the safety and welfare of its junior participants. Several measures will be used to achieve this, such as:
  - (i) Prohibiting any form of abuse against children.
  - (ii) Providing opportunities for our juniors to contribute to and provide feedback on our program development.
  - (iii) Carefully selecting and screening people whose role requires them to have direct and unsupervised contact with children. (Screening procedures are outlined in Part C of Member Protection Policy.)
  - (iv) Ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed.
  - (v) Providing procedures for raising concerns and resolving complaints (the BQ Complaints and Discipline Procedure is outlined in Part D of the member Protection Policy.)
  - (vi) Providing education and/or information to those involved in our sport on child abuse and child protection.
- (c) BQ requires any child who is abused or anyone who reasonably suspects a child has been abused or is being abused by someone within our sport, to report it immediately to the police or relevant government agency and BQ.
- (d) Descriptions of the sorts of activity which may be abuse (see in the dictionary of the Member Protection Policy.)
- (e) All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidently. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in Attachment E of the Member Protection Policy.
- (f) If anyone bound by this policy reasonably suspects a child is being abused by his or her parents, they should contact the relevant government department for youth, family and community services in their State/Territory.

### **5.2 Taking images of children**

There is a risk images of children may be used inappropriately or illegally. BQ requires individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own. They should also make sure the parent/guardian understands how the image will be used.

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

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent/guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child.

We will only use images of children that are relevant to our sport and we will ensure they are suitably clothed in a manner that promotes participation in the sport. We will seek permission from the parents/guardians of the children before using the images. We require our member associations and clubs to do likewise.

### **5.3 Anti-discrimination and harassment**

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

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

### **5.3.1 Discrimination**

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

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

Discrimination can be either direct or indirect.

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

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

### **5.3.2 Harassment**

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

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

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

### **5.3.3 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.

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

## **5.4 Intimate relationships**

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

## **5.5 Pregnancy**

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

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

## **5.6 Gender identity**

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

### **5.6.1 Gender identity discrimination and harassment**

Federal, State and Territory anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity. (See definition in dictionary of terms).

BQ is committed to providing a safe, fair and inclusive sporting environment all where people can contribute and participate.

This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual. (Refer to the attachments in Part D of this policy.)

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

### **5.6.2 Participation in sport**

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

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

***For Olympic Sports Only*** - BQ is aware the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends to compete at an elite level, we will encourage them to obtain advice about the IOC's criteria which may differ from the position we have taken.

Drug testing procedures and prohibitions also apply to people who identify as transgender. A person receiving treatment involving a prohibited substance or method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption.

### **5.6.3. Intersex status**

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

## **5.7 Responsible service and consumption of alcohol**

BQ is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. Refer to the Queensland Liquor, Gaming and Licensing Regulations.

## **5.8 Smoke-free environment**

BQ is committed to providing a safe and healthy environment at all sporting and social events we hold or endorse. Refer to Queensland Liquor, Gaming and Licensing Regulations.

## **5.9 Bullying**

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

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

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

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

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

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

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

## **5.10 Social networking**

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

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter.

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

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

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



## **6. Complaints procedures**

### **6.1 Handling complaints**

BQ 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 organisation 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.

In the first instance, complaints should be reported at the State level to the BQ board; otherwise to the relevant district or club relevant governing body.

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

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

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

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.

### **6.2 Improper complaints and victimization**

BQ aims to ensure 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 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 at the State, district or club level, the relevant governing body considers 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 their Disciplinary Panel for review and appropriate action, including possible disciplinary action against the complainant.

### **6.3 Mediation**

BQ 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 relevant bodies as per 6.1 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.

## **6.4 Panels /Tribunals**

In accordance with BQ Disciplinary By - Law, a panel may be convened to hear a proceeding:

- referred to it by BQ Board.
- referred to it or escalated by a State association because of the serious nature of the complaint, because it was unable to be resolved at the district/club level for an alleged breach of this policy.

Our Disciplinary Panel procedure is outlined in Attachment D4.

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

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

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

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

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

## **7 Disciplinary measures**

BQ or affiliated district or club may impose disciplinary measures on an individual or organisation for a breach of this policy.

Any disciplinary measure imposed will be:

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



## **8.1 Individual**

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

- 8.1.1 a direction the individual make a verbal and/or written apology.
- 8.1.2 a written warning.
- 8.1.3 a direction the individual attend counselling to address their behaviour.
- 8.1.4 a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by BQ.
- 8.1.5 a demotion or transfer of the individual to another location, role or activity.
- 8.1.6 a suspension of the individual's membership or participation or engagement in a role or activity.
- 8.1.7 termination of the individual's membership, appointment or engagement.
- 8.1.8 a recommendation BQ terminate the individual's membership, appointment or engagement.
- 8.1.9 in the case of a coach or official, a direction the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently.
- 8.1.10 a fine.
- 8.1.11 any other form of discipline the relevant body considers appropriate.

## **8.2 Organisation**

If a finding is made that BQ or affiliated district or club has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by Disciplinary Panel or tribunal:

- 8.2.1 a written warning.
- 8.2.2 a fine.
- 8.2.3 a direction any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period.
- 8.2.4 a direction any funding granted or given to it by the State or national bodies cease from a specified date.
- 8.2.5 a direction the State or national bodies cease to sanction events held by or under the auspices of that organisation.
- 8.2.6 a recommendation to the State or national bodies that its membership of the State or national bodies be suspended or terminated in accordance with the relevant constitution or rules.
- 8.2.7 any other form of discipline the national body or peak organisation considers reasonable and appropriate.

## **8.3 Factors to consider**

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

- the nature and seriousness of the breach.
- if the person knew, or should have known, 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.

## **9. Dictionary of terms**

*A dictionary of terms used in this policy and its attachments is provided at:*

[http://www.ausport.gov.au/supporting/nso/member\\_protection](http://www.ausport.gov.au/supporting/nso/member_protection).

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. Further detail or definitions specific to different States and Territories can be sourced from the relevant child protection authorities or equal opportunity and anti-discrimination commissions.

**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 or civil abuse and systemic abuse.

**Affiliated club** means any club whose application for affiliation has been approved in accordance with Clause 12 of the BQ Constitution.

**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 organisation of employees or employers, industrial activity, trade union activity
- defence service
- personal association with someone who has, or is assumed to have, any of the above characteristics.

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

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

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

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

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

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

**Member** means (i) those members specified in Clause 18 of the BQ constitution and (ii) members of a club as specified in BQ constitution definitions.

**Procedural fairness** requires:

- the respondent knows the full details of what is being said against them and they have the opportunity to respond.
- no person may judge their own case.
- 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 organisation (e.g. coaches, officials, umpires).

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

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

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

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

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

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

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

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

**Victimisation** means treating someone unfairly or 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.



## PART B: CODES OF BEHAVIOUR

---

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

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

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

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

### ATTACHMENTS

- PART B 1      Bowls Queensland Behaviour Policy
- B 2 (a)    State Representative Players and Officials
- B 2 (b)    State Junior Representative Players and Officials





# Bowls Queensland Behaviour Policy

---

## 1 Overview

Bowls Queensland is committed to ensuring the workplace is one where all employees, potential employees, clients, members, contractors, volunteers, committees and other external parties are free from unlawful discrimination, harassment, sexual harassment, bullying, vilification and victimisation (**Unlawful Workplace Conduct**). The procedures within this policy are designed to resolve grievances about alleged unlawful workplace conduct in a way that is consistent with BQ's values which include courtesy, respect, fairness and integrity.

## 2 Aim

Everyone has the right to a workplace and an organisation free from slurs, innuendo, violence and other forms of unlawful workplace conduct. Everyone in the workplace and organisation (including but not limited to BQ events) has a responsibility to behave in a manner that sustains an environment free from unlawful workplace conduct.

## 3 Application of this Policy

This policy applies to every employee and contractor who is engaged by BQ in any capacity. This policy applies to any person who is seeking work with BQ.

This policy applies to the conduct of all employees and contractors:

- in the course of their employment with BQ.
- in the workplace.
- during all working hours.
- during all work and work-related activities and events (such as conferences and work-related social functions).
- in every dealing with any person in the course of their work for BQ.

Conduct going to the employee's duty of fidelity to BQ may be the subject of disciplinary action whenever such conduct occurred.

This policy applies to volunteers, committees, representatives and any other external parties (BQ representatives) who represent or provide any service (whether voluntary or paid) for BQ.

## 4 Zero Tolerance

BQ has a zero tolerance policy in relation to acts of unlawful workplace conduct. Simply put, unlawful workplace conduct is unacceptable in this workplace and will result in disciplinary action being taken, which may include termination of employment.

## 5 Responsibilities

All employees and contractors of BQ and BQ representatives are responsible for ensuring they:

- (a) are familiar with this policy and keep themselves informed of any changes to this policy by regularly reviewing the policy.
- (b) comply with this policy.
- (c) are responsible and accountable for behaving in a manner that sustains an environment free from unlawful workplace conduct.
- (d) attend any training activities provided by BQ in relation to workplace matters generally and this policy in particular.

All employees and contractors of BQ and BQ representatives are urged to take prompt action to report suspected or actual unlawful workplace conduct to their supervisory, manager or other leader.

Employees in supervisory or management positions should take all reasonable steps to ensure the workplace is free from unlawful workplace conduct and must take prompt action under the Grievance Procedure Policy or Member Protection Policy to address any suspected or actual unlawful workplace conduct.

**6 Complaint**

Complaints will be handled under the Grievance Procedure Policy or Member Protection Policy.

**7 Discrimination**

BQ is committed to ensuring a healthy and safe workplace free from discrimination. Discrimination is unacceptable and will not be tolerated under any circumstances.

**8 What is Unlawful Discrimination**

Discrimination is unlawful under the *Anti-discrimination Act 1991* (Qld) and Federal legislation. Discrimination is the act of treating a person less favourable than another person due to their:

- (a) gender
- (b) relationship status
- (c) parental status
- (d) pregnancy or potential pregnancy
- (e) race
- (f) age
- (g) impairment or disability
- (h) religious belief or activity
- (i) political activity or belief
- (j) trade union activity
- (k) lawful sexual activity
- (l) breast feeding
- (m) gender identity
- (n) sexuality
- (o) family responsibilities.

Under the legislation these characteristics are called “attributes”.

It is generally unlawful to treat a person less favorably because of an attribute in a range of areas and services, including in employment and pre-employment. It is also unlawful to treat a person unfairly because that person is linked to someone with one of the attributes.

Unlawful discrimination may be direct or indirect. Direct discrimination occurs when a person with an attribute is treated favorably than a person without an attribute. Indirect discrimination occurs when a person with an attribute is required to comply with a requirement that is more difficult for them than it is for a person who does not have the attribute.

Not all unfair treatment is unlawful. For an action to amount to unlawful discrimination, it must be “unlawful” under the legislation. It is not unlawful to discriminate in the work or work-related area if an exemption exists. For example, exemptions exist in relation to: -

- (a) genuine occupational requirements.
- (b) single sex accommodation.
- (c) youth wages.
- (d) special terms if job capacity is restricted by impairment.

- (e) circumstances that would impose unjustifiable hardship on an employer when special services or facilities are required.
- (f) circumstances of impairment that would impose unjustifiable hardship on an employer.

## **9 Sexual Harassment**

BQ is committed to ensuring a healthy and safe workplace free from sexual harassment. Sexual harassment is unacceptable and will not be tolerated under any circumstances.

## **10 What is Sexual Harassment?**

Sexual harassment is any unwanted or unwelcome conduct of a sexual nature which makes a reasonable person having regard to all the circumstances feel offended, humiliated or intimidated. How the conduct in question is perceived by the person harassed is important rather than the information behind it.

Sexual harassment is unlawful and disciplinary action may be taken against those who breach this policy.

## **11 Examples of Sexual Harassment**

Sexual harassment can occur in many different ways and includes:

- Any unwelcome touching, hugging or kissing.
- Any staring or leering.
- Any suggestive comments or jokes.
- Any sexually explicit pictures, screensavers, posters or drawings.
- Any unwanted invitations to go out on dates or requests for sex or sexual favours.
- Any unwelcome sexual advances.
- Any intrusive questions about an employee's private life or an employee's body.
- Any unnecessary familiarity such as deliberately brushing against someone or touching someone.
- Any insults or taunts of a sexual nature.
- Any sexually explicit emails or SMS messages. This includes any message sent by social media including Facebook or Twitter.
- Accessing any sexually explicit internet sites or storing sexually explicit material on any BQ digital device or computer.
- Any behaviour which would also breach a criminal law such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

## **12 Actions that are Not Sexual Harassment**

Sexual harassment does not occur when conduct is welcome, consensual or reciprocated. However, conduct that is welcome, consensual or reciprocated may amount to misconduct and be open to discipline under the Grievance Procedure Policy and Member Protection Policy.

## **13 Bullying**

BQ is committed to ensuring a healthy and safe workplace free from bullying. Bullying is unacceptable and will not be tolerated under any circumstances.

## **14 What is Bullying?**

A person is bullied if the person is subjected to repeated behaviour other than behaviour amounting to sexual harassment, by another person that is unwelcome and unsolicited, that the person considers to be offensive, intimidating, humiliating or threatening and that a reasonable person in the circumstances would consider to be offensive, intimidating, humiliating or threatening.

## **15 Examples of Bullying**

Bullying includes behaviour such as:

- abusing a person loudly, usually when others are present.
- repeated threats of dismissal or other severe punishment for no reason.
- constant ridicule and being put down.
- leaving offensive message on email or the telephone.
- sabotaging a person's work, for example, by deliberately withholding or supplying incorrect information, hiding documents or equipment, not passing on messages and getting a person into trouble in other ways.
- maliciously excluding and isolating a person from workplace activities.
- persistent and unjustified criticisms often about petty, irrelevant or insignificant matters.
- humiliating a person through gestures, sarcasm, criticism and insults, often in front of members, management or other employees.
- spreading gossip or malicious rumours about a person with an intent to cause a person harm
- direct violence including physical assault and harassment.
- threatening body language.
- constant intrusive surveillance or monitoring.
- inappropriate interference with personal belongings and work equipment.

#### 16 **Actions that are Not Bullying**

Legitimate and reasonable management actions and business processes such as actions taken to transfer, demote, discipline, re-deploy, retrench or dismiss an employee are not considered to be bullying provided these actions are conducted in a reasonable way and in accordance with BQ policies.

#### 17 **Victimisation**

BQ is committed to ensuring a healthy and safe workplace free from victimisation. Victimisation is unacceptable and will not be tolerated under any circumstances.

#### 18 **What is Victimisation?**

Victimisation occurs when a person causes detriment or threatens to cause detriment to another person because that other person:

- asserts or intends to assert their rights under this policy or any relevant legislation.
- alleges another person has breached this policy or relevant legislation.
- has assisted someone else to raise an issue under this policy.
- agrees to be a witness to a complaint.
- refuses to do an act which breaches this policy or relevant legislation.

Detriment may occur when an employee is demoted, dismissed, transferred, suspended, loses any sort of benefits, is ostracised by other employees from work, or work related functions or is subjected to gossip of any kind.

#### 19 **Examples of Victimisation**

The following are examples of victimisation:

- Colleagues threatening to ostracise a person if they continue to be a witness to a complaint.
- Subjecting a person to offensive rumours because the person made a sexual harassment complaint.

20 **Where to go for Assistance**

An employee who is being bullied, sexually harassed, victimised, discriminated against or otherwise subjected to unlawful workplace conduct can contact management for information and assistance.

21 **Confidentiality**

Only those involved in the investigation and resolution of the complaint will have access to information about the complaint. However, in some circumstances information may not be able to be kept confidential. This may occur where there have been physical threats or where the law requires disclosure of the information.

22 **Making a Complaint Internally**

BQ has a complaint handling system which includes procedures for reporting, investigating and resolving discrimination, sexual harassment, victimisation and/or bullying complaints. All complaints will be treated seriously and investigated properly, fairly and impartially.

To make an internal complaint please refer to Bowls Queensland Grievance Procedure Policy and Member Protection Policy and follow the steps set out in that policy.

23 **Record Keeping**

Where any complaint has been made and an investigation has been conducted, records of these will be kept by BQ. All information with respect to a complaint will be kept on the complainant's personnel file. All information with respect to an offending person will only be recoded on their file if they have been notified of and have had the chance to respond to the complaint. These records will contain sensitive material and as such will be protected by reasonable security safeguards.

24 **Related Policies**

Grievance Procedure Policy and Member Protection Policy.

BQ reserves the right to modify this policy at any time.

\_\_\_\_\_  
BQ Representative (print name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Board President / CEO (print name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Dated



**BOWLS QUEENSLAND**  
**CODE OF CONDUCT**  
**FOR STATE REPRESENTATIVE PLAYERS**  
**AND TEAM OFFICIALS**

- Players & officials are required to make themselves aware of the code of conduct set out hereunder.
- As a player you will be expected to commit to this conduct by signing the declaration on this document.

General behavior with regard to:

**Travel:.**

- No alcohol permitted during interstate or intrastate airline flights

**Venue:**

- No alcohol to be consumed before or during a day's play.
- Social drinks after the conclusion of the day's play is acceptable (moderate).
- No team member to leave the venue at any time during the competition without gaining permission from the team manager.

**Motel:**

- Rooms to be kept neat and tidy at all times. House rules to be obeyed at all times.
- Rooms to be occupied by team members as per the time set by the team manager and noise level to be kept to a minimum.
- No team member to leave the motel at any time without consent of the team manager..
- At no time will any unauthorised person visit or occupy any team room.

**Social:**

- Drunkenness and/or disorderly conduct will not be tolerated. Athletes who break these provisions will face disciplinary action.

**Dress:**

- At all times obey BQ code for travel, training, playing, functions and social.

**General:**

- Be punctual by attending meetings or team assemblage at the designated times.
- Derogatory or non-supportive comments about other team members are not in the best interest of the team, and not to be aired in public.
- Actively support team culture and solidarity among players.
- Leadership group will be appointed from within the team to oversee and actively promote the implementation of the above initiatives.
- Athletes at any time whilst under the umbrella of BQ responsibilities, agree to adhere to its rules, and will act in a responsible manner to an extent they may not embarrass our sport, State, team members or team officials.

Any breach of this code could constitute a breach of the "Player Agreement" (clause 6) and as a consequence clause 10 of the "Player Agreement" (termination) could be invoked.



## DECLARATION BY SELECTED REPRESENTATIVE STATE PLAYER.

I agree to commit to and abide by this Code of Conduct.

_____	_____
Player signature	Witness signature
_____	_____
Full name of player	Full name of witness
Date: _____	Date: _____

Some relevant extracts from clause 6 & 10 of the Player Agreement

### Clause 6: Players Obligations

6.1 As a member of the team, the player must:

- (a) observe and comply with all reasonable directions of the team officials.
- (b) act in a proper manner so as to not bring the player, BQ or the team into public disrepute or censure to the absolute satisfaction of the team officials.
- (h) be thoroughly familiar, and strictly comply, with the training itinerary and event program and all protocol arrangements to ensure prompt and timely attendance.
- (k) stay in the accommodation selected by BQ for such period as required in order to fulfill the player's obligations to BQ, or as required by the team officials.
- (m) obtain and maintain the player's best possible fitness and health, carry out the player's duties to the BQ to best of the player's ability.

---

### Clause 10: Termination

10.2 Termination for breach

In addition to (the first paragraph of 10.2) BQ may, in its discretion and having regard to the severity of the breach do any one or more of the following:

- (a) terminate the player's membership of any team.
- (b) immediately require the player to return home from any training or event venue (at the player's personal expense).
- (c) exclude the player from any training or event.
- (d) initiate appropriate disciplinary proceeding against the player in accordance with the Laws of Bowls.
- (e) otherwise deal with the player as it sees fit, including restriction of benefits which the player would otherwise receive under this agreement.

10.3 Termination for specific reasons

If the player

- (i) fails to conduct themselves in a proper manner, or acts so as to bring the player, BQ, the team (or any member of either) into disrepute or censure.
- (ii) conducts themselves in a manner which is offensive to other members of the team or, in the opinion of BQ, acts in a manner inappropriate for a representative of the BQ.

Then BQ may immediately upon notice in writing terminate this agreement.



**BOWLS QUEENSLAND**  
**CODE OF CONDUCT**  
**FOR STATE JUNIOR REPRESENTATIVE PLAYERS**  
**AND TEAM OFFICIALS**

- Players & officials are required to make themselves aware of the code of conduct set out hereunder.
- As a player you will be expected to commit to this conduct by signing the declaration on this document.

General Behavior with regard to:

**Travel:**

- No alcohol permitted at any time.
- Behave in a polite and respectful manner.

**Venue:**

- No alcohol permitted at any time.
- No team member to leave the venue at any time during the competition without gaining permission from the team manager.

**Motel:**

- Rooms to be kept clean and tidy at all times. House rules to be obeyed at all times.
- Rooms to be occupied by team members by the time nominated by the team manager and noise level to be kept to a minimum.
- No team member to leave the motel at any time without the consent of the team manager.
- At no time will team member/s visit or occupy any team room of opposite gender.

**Social:**

- Consumption of alcohol and/or disorderly conduct will not be tolerated.

**Dress:**

- At all times obey BQ code for travel, training, playing, functions and social.

**General:**

- Be punctual by attending meetings or team assemblage at the designated times.
- Derogatory or non-supportive comments about other team members are not in the best interest of the team, and not to be aired in public.
- Actively support team culture and solidarity among players.
- That either a team captain or team leader will be appointed from within the team to oversee and actively promote the implementation of the above initiatives.
- Athletes at any time whilst under the umbrella of BQ responsibilities, agree to adhere to its rules, and will act in a responsible manner to an extent they may not embarrass our sport, State, team members or team officials.

Any breach of this code could constitute a breach of the "Player Agreement" (clause 6) and as a consequence clause 10 of the "Player Agreement" (termination) could be invoked.

**DECLARATION BY SELECTED REPRESENTATIVE STATE PLAYER.**

***I agree to commit to and abide by this Code of Conduct.***

\_\_\_\_\_  
*Players signature*

\_\_\_\_\_  
*Full name of player*

*Date:* \_\_\_\_\_

\_\_\_\_\_  
*Parent/Guardian signature*

\_\_\_\_\_  
*Full name of Parent/Guardian*

*Date:* \_\_\_\_\_

---

## **Some relevant extracts from clause 6 & 10 of the Player Agreement**

### **Clause 6: Players Obligations**

- 6.1 As a member of the team, the player must:
- (c) observe and comply with all reasonable directions of the team officials.
  - (d) act in a proper manner so as to not bring the player, BQ or the team into public disrepute or censure to the absolute satisfaction of the team officials.
  - (h) be thoroughly familiar, and strictly comply, with the training itinerary and event program and all protocol arrangements to ensure prompt and timely attendance.
  - (l) stay in the accommodation selected by BQ for such period as required in order to fulfill the player's obligations to BQ, or as required by the team officials.
  - (m) obtain and maintain the player's best possible fitness and health, carry out the player's duties to the BQ to best of the player's ability.

### **Clause 10: Termination**

#### **10.2 Termination for breach**

In addition to (the first paragraph of 10.2) BQ may, in its discretion and having regard to the severity of the breach do any one or more of the following:

- (f) terminate the player's membership of any team.
- (g) immediately require the player to return home from any training or event venue (at the player's personal expense).
- (h) exclude the player from any training or event.
- (i) initiate appropriate disciplinary proceeding against the player in accordance with the Laws of Bowls.
- (j) otherwise deal with the player as it sees fit, including restriction of benefits which the player would otherwise receive under this agreement.

#### **10.3 Termination for specific reasons**

If the player

- (iii) fails to conduct themselves in a proper manner, or acts so as to bring the player, BQ, the team (or any member of either) into disrepute or censure.
- (iv) conducts themselves in a manner which is offensive to other members of the team or, in the opinion of BQ, acts in a manner inappropriate for a representative of the BQ.

Then BQ may immediately upon notice in writing terminate this agreement.

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

---

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

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

Working with Children Check laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory, the Australian Capital Territory, Tasmania and South Australia.

*BQ*, including our district associations and clubs, will meet the requirements of the relevant State or Territory Working with Children Check laws.

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

### **ATTACHMENTS**

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

## MEMBER PROTECTION DECLARATION

---

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

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

..... (address) DOB...../...../.....

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 or *narcotics*.
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 or narcotics.
4. I am not currently serving a sanction for an anti-doping rule violation under an Australian Sports Anti-Doping Authority (ASADA) approved anti-doping policy applicable to me.
5. I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA approved anti-doping policy applicable to me.
6. To my knowledge, there is no other matter BQ may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the relevant official of the organisation/s engaging me immediately upon becoming aware any matter set out above has changed.

Declared in the State/Territory of .....

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

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

I have read and understood the declaration provided by my child. I confirm and warrant 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 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.
- other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children Check requirements vary across Australia. [Fact Sheets](#) for each State and Territory are available on the Play by the Rules website: [www.playbytherules.net](http://www.playbytherules.net)

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each State and Territory.

### **Australian Capital Territory**

Contact the Office of Regulatory Services

Website: [www.ors.act.gov.au/community/working\\_with\\_vulnerable\\_people](http://www.ors.act.gov.au/community/working_with_vulnerable_people) [wwvp](#)

Phone: 02 6207 3000

### **New South Wales**

Contact the Office of the Children's Guardian

Website: [www.kidsguardian.nsw.gov.au/check](http://www.kidsguardian.nsw.gov.au/check)

Phone: 02 9286 7276

### **Northern Territory**

Contact the Northern Territory Screening Authority

Website: [www.workingwithchildren.nt.gov.au](http://www.workingwithchildren.nt.gov.au)

Phone: 1800 SAFE NT (1800 723 368)

### **Queensland**

Contact the Queensland Government Blue Card Services

Website: [www.bluecard.qld.gov.au](http://www.bluecard.qld.gov.au)

Phone: 1800 113 611

### **South Australia**

Contact the Department for Education and Child Development

Website: [www.families.sa.gov.au/childsafe](http://www.families.sa.gov.au/childsafe)

Phone: 08 8463 6468.

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

DCSI Child Related Work Screening: <http://www.dcsi.sa.gov.au/services/screening>

### **Tasmania**

Contact the Department of Justice

Website: [www.justice.tas.gov.au/working\\_with\\_children](http://www.justice.tas.gov.au/working_with_children)

Phone: 1300 13 55 13

### **Victoria**

Contact the Department of Justice

Website: [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)

Phone: 1300 652 879

### **Western Australia**

Contact the Department for Child Protection

Website: [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au)

Phone: 1800 883 979



## **Travelling to other States or Territories**

It is important to remember when travelling to other States or Territories, representatives of sporting organisations must comply with the legislative requirements of that particular State or Territory.

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

The laws providing interstate exemptions are not consistent across Australia.

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

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

---

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

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

We also provide an appeals process for those matters.

We will maintain confidentiality where possible and as provided in this policy and seek to ensure 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

## Attachment D1: COMPLAINTS PROCEDURE

---

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

### Informal approaches

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

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

#### **Step 2: Contact the relevant nominated official/s**

We encourage you to talk with the relevant nominated official/s if:

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

The relevant nominated official/s will:

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

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

After talking with the relevant nominated official/s, you may decide:

- there is no problem.
- the problem is minor and you do not wish to take the matter forward.
- to try and resolve the problem yourself, with or without a support person.
- to resolve the problem with the help of someone impartial, such as a mediator.
- to resolve the matter through a formal process.

### Formal approaches

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

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

- make a formal complaint in writing to the President of BQ,
- 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 President of BQ will decide whether:

- they are 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**.
- to implement any interim arrangements that will apply until the complaint process is completed.

In dealing with your formal complaint, the President of BQ will take into account:

- whether they have 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.
- the urgency of the complaint, including the possibility you might face further unacceptable behaviour while the complaint process is underway.

If the President of BQ is the appropriate person to handle the complaint, they 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.
- determine what, if any, further action to take, including referring the matter for investigation or disciplinary action in accordance with this policy.

### **Step 5: 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].

Following the investigation, a written report will be provided to BQ board

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

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

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

If the matter is referred to mediation and is not resolved at mediation, you may request the relevant nominated official reconsider the complaint in accordance with Step 3.

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

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

The relevant nominated official 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 BQ and a copy stored by the district association.

## **Approaching external organisations**

If you feel 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 the issues appear to be within its jurisdiction, you may choose to lodge a formal complaint with the commission.

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

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

**Contact details for the State and Territory anti-discrimination and equal opportunity commissions** are available on the Play by the Rules website:

<http://www.playbytherules.net.au/resources/quick-reference-guide>.

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

## Attachment D2: MEDIATION

---

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, they help 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 relevant nominated official will appoint an appropriate mediator to help resolve the complaint. This will be done under the direction of BQ board 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 BQ 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 BQ to request the President or representative reconsider the complaint.
  - approach any relevant external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

We recognise 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 we conduct will be fair to all people involved. The investigation process will be undertaken by an unbiased person.

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

1. We will provide a written brief to the investigator that sets out the terms of engagement and their roles and responsibilities.
2. The investigator may:
  - interview the complainant and record the interview in writing.
  - provide full details of the complaint to the respondent(s) so 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 the complaint is unfounded)
    - **mischievous, vexatious or knowingly untrue.**
  - provide a report to President of BQ documenting the complaint, the investigation process, the evidence and, if requested, any findings and recommendations.
3. We 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 (e.g. President or Representative)



## **Attachment D4: TRIBUNAL PROCEDURES**

---

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

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

1. A Tribunal panel will be established, according to the rules set out in our constituent documents, rules and by-laws, to hear a complaint that has been referred to it by relevant nominated official
2. The number of Tribunal panel members required to be present throughout the hearing will be three (3)
3. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by relevant nominated official relating to the complaint/allegations.
4. The Tribunal hearing will be held as soon as practicable. However, adequate time must be provided for the respondent(s) to prepare for the hearing.
5. The relevant nominated official will inform the respondent(s) in writing that a Tribunal hearing will take place. The notice will outline:
  - the person has a right to appear at the Tribunal hearing to defend the complaint/allegations.
  - the details of the complaint and of all allegations, as well as the provision or clause of any policy, rule or regulation that has allegedly been breached.
  - the date, time and venue of the Tribunal hearing.
  - verbal and/or written submissions can be presented at the Tribunal hearing.
  - witnesses may attend the Tribunal hearing to support the position of the respondent/s.
  - an outline of any possible sanctions that may be imposed if the complaint is found to be true.
  - legal representation will not be allowed. [The respondent may be assisted by a support person at a Tribunal hearing. For example, where the respondent is a minor, they should have a parent or guardian present. However a person cannot be a support person if they have been admitted to the practise 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 relevant nominated official will notify the complainant in writing that a Tribunal hearing will take place. The notice will outline:
  - the person has a right to appear at the Tribunal hearing to support their complaint.
  - the details of the complaint, including any relevant rules or regulations the respondent is accused of breaching.
  - the date, time and venue of the Tribunal hearing.
  - verbal and/or written submissions can be presented at the Tribunal hearing.
  - witnesses may attend the Tribunal hearing to support the complainant's position.
  - legal representation will not be allowed. The respondent may be assisted by a support person at a Tribunal hearing. For example, where the respondent is a minor, they should have a parent or guardian present. However, a person cannot be a support person if they have 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, they should inform the relevant nominated official as soon as possible so the respondent(s) and members of the Tribunal panel can be properly informed of the complaint.
8. If possible, the Tribunal panel should include at least one person with knowledge or experience of the relevant laws/rules (e.g. anti-discrimination).

### **Tribunal hearing procedure**

9. The following people will be allowed to attend the Tribunal hearing:

- Tribunal panel members.
  - the respondent(s).
  - the complainant.
  - any witnesses called by the respondent(s).
  - any witnesses called by the complainant.
  - any parent/guardian or support person required to support the respondent or the complainant.
10. If the respondent(s) is not present at the set hearing time and the Tribunal chairperson considers no valid reason has been presented for this absence, the Tribunal hearing will continue subject to the chairperson being satisfied all Tribunal notification requirements have been met.
  11. If the Tribunal chairperson considers there is a valid reason for the non-attendance of the respondent(s), or the chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal hearing will be rescheduled to a later date.
  12. If the Tribunal chairperson wishes to reschedule the Tribunal hearing date, the Tribunal chairperson will inform the relevant nominated official of the need to reschedule the hearing and the relevant nominated official will arrange for the Tribunal to be reconvened.
  13. The Tribunal chairperson will read out the complaint, ask each respondent if they understand the complaint and if they agree or disagree with the complaint.
  14. If the respondent agrees with the complaint, they will be asked to provide any evidence or witnesses that should be considered by the Tribunal when determining any sanctions. Note: Ensure the Tribunal has the necessary power under your constituent documents to impose disciplinary 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 Tribunal hearing. Witnesses may be asked to wait outside the hearing until they are required.
  18. The Tribunal may:
    - consider any evidence, and in any form 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.
    - 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 Tribunal panel considers at any time during the hearing there is any unreasonable or intimidatory behaviour from anyone, the Tribunal chairperson may deny further involvement of that person in the hearing.
  21. After all the evidence has been presented, the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has, on the balance of probabilities, been substantiated.
  22. All Tribunal decisions will be by majority vote.
  23. The Tribunal chairperson may announce the decision of the Tribunal at the conclusion of the hearing. Alternatively, they may reserve the decision of the Tribunal at the conclusion of the hearing and deliver the decision later.

24. The respondent(s) will have the opportunity to make submissions to the Tribunal in relation to any sanctions that may be imposed.
25. Within 48 hours of the Tribunal delivering its decision, the Tribunal chairperson will:
  - forward a notice of the Tribunal's decision to the relevant nominated official, including details of any sanction imposed.
  - forward a letter reconfirming the Tribunal's decision to the respondent(s), including any sanction imposed. The letter should also outline the process and grounds for an appeal, if allowed.
26. The Tribunal does not need to provide written reasons for its decision.

## **Appeals procedure**

Please refer to BQ Disciplinary By-Law

27. A complainant or a respondent(s) may lodge with BQ an appeal in relation to the decision of a Tribunal on one or more of the following grounds:
  - 26.1 a denial of procedural fairness has occurred.
  - 26.2 the sanction imposed is unjust and/or unreasonable.
  - 26.3 the decision was not supported by the information/evidence provided at the mediation or to the Tribunal Hearing.
28. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the relevant nominated official within seven (7) days of the decision being made. An appeal fee of three hundred dollars (\$300) shall be included with the letter of intention to appeal.
29. If the letter of appeal is not received by the relevant nominated official within this time, the right of appeal will lapse. If the letter of appeal is received but the appeal fee is not received within this time, the appeal will also lapse.
30. The letter of appeal and the notice of the Tribunal's decision (clause 24) will be forwarded to the relevant nominated official to review and to decide whether there are sufficient grounds for the appeal to proceed. The relevant nominated official may invite any witnesses to the meeting they believe are required to make an informed decision.
31. If the appellant has not shown sufficient grounds for an appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision. The appeal fee may be forfeited.
32. If the appeal is accepted, an Appeal Tribunal with new panel members will be convened to rehear the complaint, and the appeal fee will be refunded.
33. The Tribunal hearing procedure shall be followed for the Appeal Tribunal.
34. The decision of the Appeal Tribunal will be final and binding.

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

---

We will ensure 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 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.

### **ATTACHMENTS**

- Attachment E1: Record of informal complaint
- Attachment E2: Record of formal complaint
- Attachment E3: Handling an allegation of child abuse
- Attachment E4: Confidential record of child abuse allegation

## Attachment E1: 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"/> 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 .....	
When/where did the incident take place?		
What are the facts relating to the incident, as stated by complainant?		
What is the nature of the complaint? (category/basis/grounds)  Tick more than one box if necessary	<input type="checkbox"/> Harassment   or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other .....	
What does the complainant want to happen to resolve the issue?		
What other information has the complainant provided?		
What is the complainant going to do now?		

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

## Attachment E2: RECORD OF FORMAL COMPLAINT

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

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

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



## Attachment E3: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

---

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

Fact sheets on reporting allegations of child abuse in different States and Territories are available at [www.playbytherules.net.au](http://www.playbytherules.net.au)

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

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

### Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important you listen, stay calm and be supportive.

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

### Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the relevant nominated official of BQ so they can manage the situation.

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

- The relevant nominated official will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending them until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is an employee of BQ.
- The relevant nominated official will consider what services may be most appropriate to support the child and his or her parent/s.
- The relevant nominated official will consider what support services may be appropriate for the alleged offender.

- The relevant nominated official will seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

#### Step 4: Take internal action

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

<b>Australian Capital Territory</b>	
ACT Police Non-urgent police assistance Ph: 131 444 <a href="http://www.afp.gov.au">www.afp.gov.au</a>	Office for Children, Youth and Family Services <a href="http://www.communityservices.act.gov.au/ocyfs/reporting-child-abuse-and-neglect">http://www.communityservices.act.gov.au/ocyfs/reporting-child-abuse-and-neglect</a> Ph: 1300 556 729
<b>New South Wales</b>	
New South Wales Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.nsw.gov.au">www.police.nsw.gov.au</a>	Department of Family and Community Services <a href="http://www.community.nsw.gov.au">www.community.nsw.gov.au</a> Ph: 132 111
<b>Northern Territory</b>	
Northern Territory Police Non-urgent police assistance Ph: 131 444 <a href="http://www.pfes.nt.gov.au">www.pfes.nt.gov.au</a>	Department of Children and Families <a href="http://www.childrenandfamilies.nt.gov.au">www.childrenandfamilies.nt.gov.au</a> Ph: 1800 700 250
<b>Queensland</b>	
Queensland Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.qld.gov.au">www.police.qld.gov.au</a>	Department of Communities, Child Safety and Disability Services <a href="http://www.communities.qld.gov.au/childsafety">www.communities.qld.gov.au/childsafety</a> Ph: 1800 811 810
<b>South Australia</b>	
South Australia Police Non-urgent police assistance Ph: 131 444 <a href="http://www.sapolice.sa.gov.au">www.sapolice.sa.gov.au</a>	Department for Education and Child Development <a href="http://www.families.sa.gov.au/childsafes">www.families.sa.gov.au/childsafes</a> Ph: 131 478
<b>Tasmania</b>	
Tasmania Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.tas.gov.au">www.police.tas.gov.au</a>	Department of Health and Human Services <a href="http://www.dhhs.tas.gov.au/children">www.dhhs.tas.gov.au/children</a> Ph: 1300 737 639

<b>Victoria</b>	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 <a href="http://www.police.vic.gov.au">www.police.vic.gov.au</a>	Department of Human Services <a href="http://www.dhs.vic.gov.au">www.dhs.vic.gov.au</a> Ph: 131 278
<b>Western Australia</b>	
Western Australia Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.wa.gov.au">www.police.wa.gov.au</a>	Department for Child Protection and Family Support <a href="http://www.dcp.wa.gov.au">www.dcp.wa.gov.au</a> Ph: (08) 9222 2555 or 1800 622 258

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

---

---

BQ Member Protection Policy – June 2018

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