



Queensland
Athletics

MEMBER PROTECTION POLICY
August 2007

(BASED ON THE ATHLETICS AUSTRALIA MEMBER PROTECTION POLICY, DATED JULY 2005)



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PART A – MEMBER PROTECTION POLICY

PREFACE

Queensland Athletics and Athletics Australia strongly believe that providing a safe and enjoyable sporting and working environment is an important consideration for any sports organisation seeking to support its athletes, coaches, volunteers, officials and staff in their respective endeavours. Queensland Athletics has adopted the Athletics Australia Member Protection Policy as this operates as an adjunct to the Queensland Athletics By-Laws so that all who participate in athletics may do so with the knowledge of the sport's commitment to ensuring an appropriate and conducive environment is provided and that appropriate protections are available if required.

Queensland Athletics and Athletics Australia encourage all involved in athletics to familiarise themselves with and work to this policy. Adoption of this policy and principles will ensure all participants enjoy their involvement in their chosen sport.

Doug Carlson
Chairman
Queensland Athletics
August 2007

Rob Fildes OAM
President
Athletics Australia
November 2005

PURPOSE OF THIS POLICY

This Member Protection Policy aims to ensure our core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. This policy also ensures that everyone involved in our sport is aware of his or her legal and ethical rights and responsibilities.

The policy attachments provide the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, Queensland Athletics will take disciplinary action against any person or organisation bound by this policy if breached.

This policy has been endorsed by the Board and will read in conjunction with the Queensland Athletics By-Laws. The policy takes effect from 1 July 2007 and will operate until replaced. This policy and/or its attachments may be amended from time to time by resolution of the Board.



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WHO THIS POLICY APPLIES TO

This policy applies to the following, whether they are in a paid or unpaid/voluntary capacity:

1. Individuals sitting on boards, committees and sub-committees;
2. Employees and volunteers;
3. Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers);
4. Coaches and assistant coaches;
5. Athletes;
6. Referees, judges and other officials;
7. Members, including life members;
8. Member associations;
9. Affiliated clubs and associated organisations;
10. Peak associations and the national body;
11. Any other person or organisation that is a member of or affiliated to Queensland Athletics;
12. Parents, guardians, spectators and sponsors to the full extent that is possible.

This policy will continue to apply to a person even after they have stopped their association or employment with Queensland Athletics if disciplinary action, relating to an allegation of child abuse against that person, has commenced.

CODE OF CONDUCT

Queensland Athletics requires every individual and organisation bound by this policy to:

1. Be ethical, fair and honest in all their dealings with other people and Queensland Athletics;
2. Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;



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3. Always place the safety and welfare of children above other considerations;
4. Comply with Queensland Athletics', Athletics Australia's, The IAAF's, the National and International Olympic Committee's constitutions, rules and policies including this member protection policy;
5. Operate within the rules and spirit of the sport;
6. Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
7. Be responsible and accountable for their conduct.

ORGANISATIONAL RESPONSIBILITIES

Queensland Athletics, its affiliated clubs and their members must:

1. Adopt, implement and comply with this policy;
2. Publish, distribute and otherwise promote this policy and the consequences for breaching it;
3. Promote appropriate standards of conduct at all times;
4. Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
5. Apply this policy consistently without fear or favour;
6. Recognise and enforce any penalty imposed under this policy;
7. Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies;
8. Appoint or have access to appropriately trained people to receive and handle complaints and allegations through the CEO;
9. Monitor and review this policy at least annually.



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INDIVIDUAL RESPONSIBILITIES

Individuals bound by this policy are responsible for:

1. Making themselves aware of the policy and complying with the standards of conduct outlined in this policy,
2. Consenting to a national police check if the individual holds or applies for any position (voluntary or paid) within the sport,
3. Complying with all other requirements of this policy,
4. Co-operating in providing a discrimination, child abuse and harassment free sporting environment,
5. Understanding the possible consequences of breaching this policy.

POLICY POSITION STATEMENTS

Child Protection Policy

Every person and organisation bound by this policy must always place the safety and welfare of children above all other considerations. Queensland Athletics acknowledges that our staff and volunteers provide a valuable contribution to the positive experiences of our juniors.

Queensland Athletics aims to ensure this continues and to protect the safety and welfare of its junior participants. Several measures will be used to achieve this such as:

1. Prohibiting any form of abuse against children;
2. Providing opportunities for our juniors to contribute to and provide feedback on our program development;
3. Carefully selecting and screening people whose role requires them to work with children. (Screening procedures are outlined in Part B of this policy);
4. Ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed;
5. Providing procedures for raising concerns or complaints (our complaints procedure is outlined in Part C of this policy);



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6. Providing education and/or information on child abuse and child protection to those involved in our sport.

Queensland Athletics requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within our sport, report it immediately to the police or relevant government agency and our CEO. Descriptions of the sorts of activities which may constitute 'abuse' are in the Dictionary at the end of Part A.

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. 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 C4 of this policy. If anyone bound by this policy reasonably suspects that a child is being abused by his or her parent/s, they are advised to contact the Queensland Commission for Children and Young People and Child Guardians on 1800 113 611.

Anti-Discrimination and Harassment Policy

Queensland Athletics aims to provide a sport environment where all those involved in its activities are treated with dignity and respect, and without harassment or discrimination.

Queensland Athletics recognises that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their sex, marital status, pregnancy, parental status, race, age, disability, homosexuality, sexuality, transgender, religion, political belief and/or industrial activity.

Queensland Athletics prohibits all forms of harassment and discrimination not only because it is against the law, but because it is extremely distressing, offensive, humiliating and/or threatening and creates an uncomfortable and unpleasant environment. Descriptions of some of the types of behaviour which could be regarded as harassment or discrimination are provided in the Dictionary at the end of Part A.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in C1 of this policy. This will explain what to do about the behaviour and how Queensland Athletics will deal with the problem.

Sexual Relationships Policy

Queensland Athletics takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided. Queensland Athletics takes the view that such relationships, while not necessarily constituting unlawful harassment, can have harmful



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effects on the individual athlete involved, on other athletes and coaches, and on the sport's public image. Such relationships tend to be intentionally or unintentionally exploitative because there is usually a disparity between coaches and athletes in terms of authority, power, maturity, status and dependence.

Queensland Athletics' policy position is similar to other organisations who disallow professionals such as teachers, doctors and counsellors to have sexual relationships with their clients or students. Should a sexual relationship develop between an athlete and coach, Queensland Athletics will investigate whether any action against the coach is necessary. Factors that may be relevant to consider are the age and maturity of the athlete relative to the coach, the financial or emotional dependence of the athlete on the coach, and the likelihood of the relationship having any adverse impact on the athlete and/or other athletes. If it is determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. Action may include transfer, a request for resignation or dismissal from coaching duties.

In the event that an athlete attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. The coach may wish to approach the CEO if they feel harassed.

The law is always the minimum standard for behaviour within Queensland Athletics and therefore sex with a child is a criminal offence.

Gender Changes Policy

Queensland Athletics recognises change of gender and, in circumstances of a change in gender, require the individual to undertake a gender verification test as reasonably required by Queensland Athletics on the advice of a medical expert.

COMPLAINTS PROCEDURES

Complaints

Queensland Athletics aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy. A complaint should be reported to the CEO of Queensland Athletics.

A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the CEO, considers that



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the complaint falls outside the parameters of this policy and would be better dealt with another way. All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in Part C of this policy.

Vexatious Complaints & Victimisation

Queensland Athletics aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the CEO considers that a complainant has *knowingly* made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the associations Appeals Tribunal for appropriate action which may include disciplinary action against the complainant.

Queensland Athletics will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to resolve the complaint. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.

Mediation

Queensland Athletics aims to sort out complaints with the minimum of fuss wherever possible. In many cases, complaints can be sorted out by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint - the complainant and the person complained about (respondent) - may also seek the assistance of a neutral third person or a mediator.

Lawyers are able to negotiate on behalf of the complainant and/or respondent. Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try to resolve the complaint with the assistance of a mediator, the CEO will, in consultation with the complainant, arrange for a mediator to mediate the complaint. More information on the mediation process is outlined in Part C of this policy.

Tribunals

A hearing tribunal may be formed to hear a formal complaint that has been referred by the CEO or, for an alleged breach of the policy. Refer to the Athletics Australia By-Laws (specifically 5) for the tribunal hearings procedure/s. A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal. The decision of the appeal tribunal is final and binding on the people involved in the appeal.

Every organisation bound by this policy will recognise and enforce any decision made, and form of discipline imposed, by an appeals tribunal under this policy.



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WHAT IS A BREACH OF THIS POLICY

It is a breach of this policy, for any person or organisation to which this policy applies, to have been found to have:

1. Done anything contrary to this policy,
2. Breached the Code of Conduct and Role-Specific Codes of Conduct,
3. Brought the sport or Queensland Athletics into disrepute,
4. Failed to follow Queensland Athletics policies and procedures for the protection, safety and welfare of children,
5. Appointed or continued to appoint a person to a role that involves working with children and young people contrary to this policy,
6. Discriminated against or harassed any person,
7. Victimised another person for reporting a complaint,
8. Engaged in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over,
9. Disclosed to any unauthorised person or organisation any of Queensland Athletics information that is of a private, confidential or privileged nature,
10. Made a complaint they *knew* to be untrue, vexatious, malicious or improper,
11. Failed to comply with a penalty imposed after a finding that the individual or organisation has breached this policy,
12. Failed to comply with a direction given to the individual or organisation during the discipline process.

FORMS OF DISCIPLINE

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include making a verbal or written apology, paying a fine, being suspended or de-registered or having a person's appointment or



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employment terminated. More information on the range of disciplinary measures and the factors that will be considered before imposing discipline can be found in C6 of this policy.

DICTIONARY

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

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

Affiliated club: means clubs in association with Queensland Athletics.

Child: means a person who is under the age of 18 years (see also definition of young person)

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

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



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CEO: means the Chief Executive Officer of Queensland Athletics who, with the guidance of the Board, is authorised to represent the association.

Company: means Queensland Athletics.

Complaint: means a complaint made under Part C of this policy.

Complainant: means the person making a complaint.

Discrimination: means treating or proposing to treat a person less favourably than someone else in certain areas of public life on the basis of an attribute or personal characteristic they have. The relevant attributes or characteristics are:

1. Age,
2. Disability,
3. Marital status,
4. Parental/carer status,
5. Physical features,
6. Political belief/activity,
7. Pregnancy,
8. Race,
9. Religious belief/activity,
10. Sex or gender,
11. Sexual orientation,
12. Trade union membership/activity,
13. Transgender orientation.

Discrimination is not permitted in the areas of employment (including volunteer and unpaid employment); the provision of goods and services; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any player or other



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person to any competition; obtaining or retaining membership of an organisation (including the rights and privileges of membership).

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination may also be discriminatory conduct. Discrimination may be direct or indirect.

Direct discrimination: is treating, or proposing to treat someone less favourably because of a characteristic (such as race, sex, age etc), in the same or similar circumstances.

Indirect discrimination: is imposing or intending to impose a requirement, condition or practice that is the same for everyone but which has an unequal or disproportionate effect on particular individuals or groups.

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

Unlawful harassment: includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexuality or other characteristic (see characteristic list under discrimination).

Whether or not the behaviour is harassment is determined from the point of view of the person receiving the harassment. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident or repeated. It may be explicit or implicit, verbal or non-verbal.

Junior: means a person under the age of eighteen (18) years who is participating in an activity of Queensland Athletics.

Mediator: means a person appointed to mediate complaints made under this policy. It is preferable that the mediator has relevant skills, qualifications and/or training in mediation.

Member: means any person who has registered with Queensland Athletics

Member protection: is a term used by the Australian sport industry to describe the practices and procedures that protect members – both individual members such as athletes, coaches and officials, and the member organisations such as clubs, other affiliated associations and the national body. Member protection involves:

1. Protecting those that are involved in sport activities from harassment, abuse, discrimination and other forms of inappropriate behaviour,



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2. Adopting appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with juniors,
3. Providing education.

Natural justice: incorporates the following principles:

1. A person who is the subject of a complaint must be fully informed of the allegations against them,
2. A person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence,
3. All parties need to be heard and all relevant submissions considered,
4. Irrelevant matters should not be taken into account,
5. No person may judge their own case,
6. The decision maker/s must be unbiased, fair and just,
7. The penalties imposed must not outweigh the 'crime'.

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

Policy and this policy: mean this Member Protection Policy.

Respondent: means the person who is being complained about.

Role-specific codes of conduct: means standards of conduct required of certain roles (e.g. coaches).

Sexual harassment: means unwanted, unwelcome or uninvited behaviour of a sexual nature, which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.



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

1. Rape,
2. Indecent assault,
3. Sexual assault,
4. Assault with intent to have sexual intercourse,
5. Incest,
6. Sexual penetration of a child under the age of 16,
7. Indecent act with a child under the age of 16,
8. Sexual relationship with a child under the age of 16,
9. Sexual offences against people with impaired mental functioning,
10. Abduction and detention,
11. Procuring sexual penetration by threats or fraud,
12. Procuring sexual penetration of a child under the age of 16,
13. Bestiality,
14. Soliciting acts of sexual penetration or indecent acts,
15. Promoting or engaging in acts of child prostitution,
16. Obtaining benefits from child prostitution,
17. Possession of child pornography,
18. Publishing child pornography and indecent articles.

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



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

Young people/person: means people in the 13 – 18 year age group.



PART B – CHILD PROTECTION POLICY

CHILD PROTECTION REQUIREMENTS

Child Protection is about Keeping Children safe from abuse and protecting them from people who are unsuitable to work with children. Child Abuse is illegal in all states and territories of Australia, with each having their own child protection laws that cover the reporting and investigation of cases of child abuse.

In Queensland the Queensland Commission for Children and Young People and Child Guardians is responsible for child protection legislation and can be contacted via their website at www.ccypcg.qld.gov.au or phone on 1800 113 611.

Queensland child protection legislation places specific requirements upon individuals and organisations involved in a range of areas including sport and recreation. Please be aware that state and territory child protection requirements also apply to individuals and organisations originating outside of the states with the legislation in place.

For example, if Queensland Athletics or one of its affiliated clubs takes junior athletes to other States for training camps, competition or other activities, those travelling with the team must comply with their States respective legislative requirements and the legislation of the State they are travelling to.

As part of Queensland Athletics' commitment to protecting the safety and welfare of children and young people involved in Queensland Athletics activities, Queensland Athletics requires the following measures to be met:

1. Provide opportunities for juniors to contribute to and provide feedback on program development,
2. Provide education and/or information on child abuse and child protection to those involved in our sport such as coaches, juniors and officials,
3. Meet the Child Protection Requirements outlined in this document.

This section sets out the screening process for people who currently occupy or who apply for any work (paid or voluntary) in Queensland Athletics or through a member club or venue that involves working with children.



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Screening under this policy is not a replacement for any other procedure required by law.

Under the Queensland Athletics Member Protection Policy, Queensland Athletics, its clubs and members are required to:

1. Identify positions (paid and voluntary) that involve working with people under the age of 18 years,
2. Obtain a completed Member Protection Declaration (MPD) from all people who are bound by this policy if they occupy or apply for a position that involves working with people under the age of 18 years. The MPD will be kept in a secure place.

If an MPD is not provided, or it reveals that a person does not satisfactorily meet with one or more of the clauses in the MPD (e.g. has a relevant criminal conviction), Queensland Athletics, its clubs or members will:

- (a) Provide an opportunity for the person to respond/provide an explanation, and;
 - (b) Make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.
3. Check a person's referees (verbal or written) and interview a person about their suitability for the role and their suitability for working with children for both paid and voluntary positions.
 4. Ask people applying for, and people who currently occupy a position that involves working with children, to sign a consent form for a national police check. (Information on police checks and forms can be found at www.ausport.gov.au/ethics.policechecks.asp).
 5. Request a national police check from our relevant police jurisdiction for people applying for and people who currently occupy (paid or voluntary) positions that involve working with children.

In most police jurisdictions, a 'Part Exclusion' check for people working with children can be requested. This check excludes irrelevant records. If the police check indicates a relevant offence, Queensland Athletics, its clubs or associated venues will:

- (a) Provide an opportunity for the person to respond/provide an explanation.



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- (b) Make an assessment as to whether the person may pose a risk or be unsuitable to work with people under the age of 18 years.

If unsatisfied, then Queensland Athletics, its clubs or associated venues will:

- (a) In the case of an existing employee/volunteer, transfer the person to another role which does not require them to work (directly and unsupervised) with people under that age of 18 years. If this is not possible, then end the appointment.
- (b) In the case of someone applying for the position/role, not appoint them.

If the person does not agree to a national police check after explaining why it is a requirement, Queensland Athletics, its member clubs or associated venues will:

- (a) In the case of an existing employee/volunteer, transfer the person to another role which does not require them to work (directly and unsupervised) with people under the age of 18 years. If this is not possible, then end the appointment.
- (b) In the case of someone applying for the position/role, not appoint them.

6. Decide whether to offer the person the position or retain the person in the position, taking into account the result of the police check and any other information Queensland Athletics, its member clubs or associated venues has available. Where it is not practical to complete the police check prior to employment commencing, Queensland Athletics, its member clubs or associated venues must still complete the check as soon as possible.

Queensland Athletics, its member clubs or associated venues will advise the person that their ongoing employment is conditional upon the satisfactory outcome of the check.

7. Where a national police check is obtained under this member protection policy, another organisation which is also required to screen may obtain a copy of the national police check provided that the consent of the relevant person is obtained and the national police check was performed in the immediately preceding two years.



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8. Protect the privacy of any person who is checked and the confidentiality of any information obtained through the checking process. Information collected during screening (such as a completed MPD form, police records and referee report) will be returned to the relevant person if that person is not appointed to/will not remain in the position, or otherwise be destroyed with the consent of the person concerned.



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MEMBER PROTECTION DECLARATION

Queensland Athletics, its member clubs or associated venues has a duty of care to its members and to the general public who interact with its employees, volunteers, members and others involved with Queensland Athletics, its associations or club's activities. As part of this duty of care and as a requirement of Queensland Athletics, its member clubs or associated venues Member Protection Policy, Queensland Athletics, its member clubs or associated venues must enquire into the background of those applying for, undertaking or remaining in any work (paid or voluntary) that involves working with children.

I.....(name)

of.....(address)

...../...../.....(born) sincerely declare:

1. I do not have any criminal charge pending before the courts,
2. I do not have any criminal convictions or findings of guilt for offences involving sexual activity, acts of indecency, child abuse or child pornography,
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, acts of violence, intimidation or other forms of harassment,
4. I have never been sanctioned for an anti-doping rule violation under any 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 anti-doping policy applicable to me,
6. To my knowledge there is no other matter that Queensland Athletics, its clubs, members or associated venues may consider to constitute a risk to its members, employees, volunteers athletes or reputation by engaging me,
7. I will notify the CEO of Queensland Athletics or the person/manager engaging me immediately upon becoming aware that any of the matters set out in clauses 1 to 6 above has changed for whatever reason, and/or
8. Agree to provide a Police Check.

Declared in the State of Queensland on...../...../.....(date)

Signature.....

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

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

Name.....

Signature.....Date...../...../.....



PART C – COMPLAINT HANDLING PROCEDURES

COMPLAINTS PROCEDURE

A complaint can be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy. Complaints will always vary. They may be about individual or group behaviour; they may be extremely serious or relatively minor; they may be about a single incident or a series of incidents; and the person about whom the allegation is made may admit to the allegations or emphatically deny them.

Given all of the variables that can arise, Queensland Athletics provides a step-by-step complaint procedure that people may use/enter at any stage. Individuals and organisations to which this policy applies may also pursue their complaint externally under anti-discrimination, child-protection or other relevant legislation. Where the CEO receives a complaint either orally or in writing from a minor, the CEO will offer such assistance as reasonably necessary to that minor to formulate the complaint and will advise the complainant's parent or guardian prior to any further action being taken under this Policy.

If at any point in the complaint process the club president, member protection officer and/or the CEO considers that a complainant has *knowingly* made an untrue complaint or the complaint is vexatious or malicious, the matter will be referred to the Queensland Athletics Appeals Tribunal for appropriate action. All complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

STEP 1: Try to sort out the complaint yourself.

As a first step you (the complainant) should try to sort out the problem with the person or people involved if you feel able to do so.

STEP 2: Discuss the complaint with the appropriate person.

Talk to one of our Member Protection Information Officers (MPIOs) and /or the CEO of Queensland Athletics if:

1. The first step is not possible/reasonable;
2. You are not sure how to handle the problem by yourself;
3. You just want to talk confidentially about the problem with someone and get some more information about what you can do;



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4. The problem continues after you tried to approach the person or people involved

A list of the MPIO's can be found at: <http://www.ausport.gov.au/ethics/memprotodb.asp>.

The MPIO and/or CEO will then:

1. Take notes about your complaint (which the MPIO and/or CEO will keep in a secure and confidential place);
2. Try to sort out the facts of the problem;
3. Ask what outcome/how you want the problem resolved and if you need support;
4. Provide possible options for you to resolve the problem;
5. Explain how our complaints procedure works;
6. Act as a support person if you so wish;
7. Refer you to an appropriate person to help you resolve the problem, if necessary;
8. Inform the relevant government authorities and/or police if required by law to do so, and;
9. Maintain strict confidentiality.

STEP 3: Review

Review the situation and decide whether:

1. There is no problem;
2. The problem is minor and you do not wish to take the matter forward;
3. You would like to try and work out your own resolution (with or without a support person such as a MPIO and/or CEO);
4. You would like to seek an informal mediated resolution with the help of a third person (such as a mediator).

If you wish to remain anonymous, Queensland Athletics cannot assist you to resolve your complaint. We have to follow the principles of natural justice and be fair to both sides. This means that Queensland Athletics or you may be required to provide the person/people you



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have complained about with full details of the complaint so they have a fair chance to respond to all of the allegations.

STEP 4: Make a formal complaint.

If your complaint is not resolved to your satisfaction, you may want to:

1. Make a formal complaint in writing to the CEO;
2. Approach a relevant external agency such as an equal opportunity commission, for advice.

STEP 5: QA CEO will decide how the complaint is best managed.

If you decide to make a formal complaint in writing under Step 4, the CEO will, on receiving the formal complaint and based on the material you have provided, decide whether:

1. They are the most appropriate person to receive and handle the complaint;
2. The nature and seriousness of the complaint warrants a formal resolution procedure, (some complaints may be of a minor and/or purely personal nature with no connection to the activities of Queensland Athletics. In these cases, the CEO may determine that the complaint does not warrant a formal resolution procedure);
3. To appoint a person to investigate the complaint;
4. To refer the complaint to an informal or formal mediation session;
5. To refer the complaint to a hearings tribunal;
6. To refer the matter to the police or other appropriate authority; and/or
7. To implement any interim administrative or other arrangements that will apply until the complaint process set out in these Procedures is completed.

In making the decision(s) outlined above, the CEO will take into account:

1. Whether they have had any personal involvement in the circumstances giving rise to the complaint and, if so, whether their ability to impartially manage the complaint is compromised or may appear to be compromised;
2. Whether, due to the nature of the complaint, specific expertise or experience may be required to manage the complaint;



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3. Your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
4. Whether, due to the nature of the complaint, the relationship between you and the respondent and any other relevant factors, the complaint should be referred (or should not be referred) to informal or formal mediation or to a hearings tribunal.
5. Relevant factors may include an actual or perceived power imbalance between you and the respondent, the nature of any ongoing working relationship between you and the respondent, and the personal attributes of you and the respondent (for example, if one party does not speak English fluently, some of the possible complaint resolution mechanisms may not be appropriate);
6. The nature and sensitivity of any information or other material that must be provided by you, the respondent, and any of the other people involved in the complaint;
7. Whether the facts of the complaint are in dispute; and
8. The urgency of the complaint, including the likelihood and the consequences (if the complaint is ultimately proven) that you will be subject to further unacceptable behaviour while the complaint process set out in these Procedures is being conducted.

If the CEO is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

1. Get full information from you (the complainant) about your complaint and how you want it resolved (if this information has not already been obtained through earlier steps);
2. Put the information they've received from you to the person/people you're complaining about and ask them to provide their version of events;
3. Decide whether they have enough information to determine whether the matter alleged in your complaint did or didn't happen; and/or
4. Determine what, if any, further action to take. This action may include disciplinary action in accordance with Attachment C6, appointing a person to investigate the complaint, referring the complaint to an informal or a formal mediation session or a hearings tribunal and/or referring the complaint to the police or other appropriate authority.



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STEP 6: Deciding who will conduct the mediation session

If a person is appointed to investigate the complaint under *Step 5*, the investigator will conduct the investigation and provide a written report to the CEO who will determine what, if any, further action to take. This action may include a direction to the investigator to make further enquiries and obtain additional information, disciplinary action in accordance with Attachment C6, and referring the complaint to an informal or a formal mediation session, a hearings tribunal and/or the police or other appropriate authority.

If the complaint is referred to an informal or a formal mediation session under *Step 5*, the mediation session will be conducted in accordance with *Section C Mediation*, or as otherwise agreed by you and the respondent.

If the complaint is referred to a hearings tribunal under *Step 5*, the hearing will be conducted in accordance with *Section C – Hearings & Appeals Tribunal Procedure*.

If the complaint is referred to the police or other appropriate authority under *Step 5*, Queensland Athletics will use its best endeavours to provide all reasonable assistance lawfully required by the police or other appropriate authority. If interim administrative or other arrangements are implemented under *Step 5*, Queensland Athletics will periodically review these arrangements to ensure that they are effective.

STEP 7: What to do if the mediation is unsuccessful.

If, under *Step 6*, an informal or formal mediation session is conducted, and you and the respondent(s) cannot reach a mutually acceptable mediated solution to the complaint, you may request that the CEO reconsider the complaint in accordance with *Step 5*. You or the respondent(s) may be entitled to appeal where under *Step 5* or *Step 6*, a decision was made by the CEO or a hearing tribunal:

1. Not to take any action; or
2. To take disciplinary action.

The grounds for appeal and the process for appeals under this Policy are set out in *Section C – Hearings & Appeals Tribunal Procedure*. If the internal complaints processes set out in this Policy do not achieve a satisfactory resolution/outcome for you, or if you believe it would be impossible to get an impartial resolution within Queensland Athletics, you may choose to approach an external agency such as an equal opportunity commission to assist with a resolution.



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STEP 8: Documentation.

The CEO will document the complaint, the process followed and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a state/district level, the information will be stored in the state association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the national level, the original document will be stored at the national office with a copy stored at the state office.

STEP 9: External Procedure.

There may be a range of external options available to you depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from the equal opportunity commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be a type of harassment that comes within its jurisdiction, you may then make a decision as to whether or not to lodge a formal complaint with the commission.

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

An anti-discrimination commission can decline to investigate a complaint, or dismiss a complaint at any point in the investigation, conciliation or public hearing stages. If you do lodge a complaint under anti-discrimination law, you may use an appropriate person (e.g. the CEO and/or an MPIO) as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.

MEDIATION

Mediation is a process by which people who are in conflict can be helped to communicate with each other about what is important for them and how to make decisions about resolving their dispute. Mediators provide a supportive atmosphere and method of talking to one another, to assist in sorting out the issues, coming up with acceptable solutions and making mutually satisfactory agreements. This attachment outlines the general procedure of mediation that will be followed by Queensland Athletics.



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The people involved in a formal complaint (complainant and respondent(s)) may work out their own resolution of the complaint or seek the assistance of a neutral third person or a mediator. Mediation may occur either before or after an investigation of the complaint.

Mediation (getting those involved to come to a joint agreement about how the complaint should be resolved) will only be recommended:

1. After complainant and respondent have had their chance to tell their version of events to the CEO and/or MPIO on their own;
2. If the CEO and/or MPIO does not believe that any of the allegations warrant any form of disciplinary action - proven serious allegations will not be mediated, no matter what the complainant desires; and
3. If Mediation looks like it will work (i.e. the versions given by the complainant and respondent tally or almost tally and/or at the very least, it looks as though it will be possible for each party to understand the other party's point of view).

Mediation will not be recommended if:

1. The respondent has a completely different version of the events and they won't deviate from these;
2. The complainant or respondent are unwilling to attempt mediation; or
3. Due to the nature of the complaint, the relationship between you and the respondent(s) and any other relevant factors, the complaint is not suitable for mediation.

If mediation is chosen to try to resolve the complaint, the CEO and/or MPIO will, in consultation with the complainant and the respondent(s), arrange for a mediator to mediate the complaint.

The CEO and/or MPIO will notify the respondent(s) that a formal complaint has been made, provide them with details of the complaint and notify them that Queensland Athletics has decided to refer the matter to mediation to resolve the complaint.

The mediator's role is to assist the complainant and respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the complainant and respondent(s), will choose the procedures to be followed during the mediation. At a minimum, an agenda of issues for discussion will be prepared by the mediator.



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The mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.

At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached between the complainant and respondent(s) and it will be signed by them as their agreement.

If the formal complaint is not resolved by mediation, the complainant may:

1. Write to the CEO to request that the CEO reconsider the complaint in accordance with *Step 5*; or
2. Approach an external agency such as an anti-discrimination commission.

INVESTIGATION PROCEDURE

If an investigation needs to be conducted the following steps are to be followed:

1. A written brief will be provided to the investigator to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.
5. The complainant will be interviewed and the complaint documented in writing.
6. The details of the complaint will be conveyed to the person/people complained about (respondent(s)) in full. The respondent(s) must be given sufficient information to enable them to properly respond to the complaint.
7. The respondent(s) will be interviewed and given the opportunity to respond. The respondent(s) response to the complaint will be documented in writing.
8. If there is a dispute over the facts, then statements from witnesses and other relevant evidence, will be obtained to assist in a determination.
9. The investigator will make a finding as to whether the complaint is:
 - (a) Substantiated (there is sufficient evidence to support the complaint);
 - (b) Inconclusive (there is insufficient evidence either way);
 - (c) Unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or



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- (d) Mischievous, vexatious or knowingly untrue.

A report documenting the complaint, investigation process, evidence, finding and, if requested, recommendations, will be given to the CEO. A report documenting the complaint and summarizing the investigation process and key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous will be provided to the complainant and the respondent(s).

Both the complainant and the respondent(s) are entitled to support throughout this process from their chosen support person/adviser (e.g. the CEO and/or MPIO).

The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Information on our appeals process is in *Section C – Hearing & Appeals Tribunal Procedure*.

More detailed information on conducting internal investigations can be found at:

www.ausport.gov.au/ethics/policy.asp

INVESTIGATION PROCEDURE - CHILD ABUSE

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. The initial response to a complaint that a child has allegedly been abused should be immediate if the incident/s are serious or criminal in nature while less serious/urgent allegations should be actioned as soon as possible, preferably within 24 hours.

The following is a basic outline of the key processes to follow. More information can be obtained from the department of child safety.

STEP 1: Clarify basic details of the allegation.

Any complaints, concerns or allegations of child abuse should be made or referred to the CEO and/or an MPIO. The initial response of the person who receives the complaint from the child (or person on behalf of the child) is crucial to the well-being of the child. It is important for the person receiving the information to:

1. Listen to, be supportive and do not dispute what the child says;
2. Reassure the child that what has occurred is not the fault of the child;
3. Ensure the child is safe;



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4. Be honest with the child and explain that other people may need to be told in order to stop what is happening; and
5. Ensure that what the child says is quite clear but do not elicit detailed information about the abuse.
6. Avoid using suggestive or leading questions.

The person receiving the complaint should obtain and clarify basic details (if possible) such as:

1. Child's name, age and address;
2. Person's reason for suspecting abuse (observation, injury or other); and
3. Names and contact details of all people involved, including witnesses.

STEP 2: Report allegations of a serious or criminal nature.

Any individual or organisation to which this policy applies, should immediately report any incident of a serious or a criminal nature to the police and other appropriate authority.

If the allegation involves a child at risk of harm, the incident should immediately be reported to the police or other appropriate government agency. You may need to report to both the police and the relevant government agency.

The relevant State or Territory authority should be contacted for advice if there is any doubt about whether the complaint should be reported.

If the child's parent/s are suspected of committing the abuse, report the allegation to the relevant government agency (in Queensland the Department of Child Safety).

STEP 3: Protect the child.

The CEO and/or MPIO should assess the risks and take interim action to ensure the child's/children's safety. Some options could include redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined.

The CEO and/or MPIO should also address the support needs of the person against whom the complaint is made. Supervision of the person should ideally occur with the knowledge of the person. If stood down, it should be made clear to all parties that are aware of the incident that this does not mean the person is guilty and a proper investigation still needs to be undertaken.



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STEP 4: Further clarify and investigate allegation.

For allegations of a serious or criminal nature (for example, sexual abuse), seek advice from the police and relevant government agency as to whether Queensland Athletics should carry out its own internal investigation (in addition to any police or relevant government agency investigation). If the police and/or relevant government agency advises that it is appropriate, then appoint an independent person (where possible) with appropriate expertise to conduct an investigation. The investigator should:

1. Contact the parents/carers of the child at an appropriate time and as directed by the police or relevant government agency;
2. If appropriate, meet with parents/carers and the child to clarify the incident and offer support on behalf of Queensland Athletics if required (example, professional counselling);
3. Meet with the person against whom the allegation refers at an appropriate time and as directed by the relevant authority and give the person an opportunity to explain or respond to the allegation and identify any witnesses and supporting evidence;
4. Permit the person an opportunity to invite a support person/adviser to attend at a meeting and should be offered support (for example, professional counselling) if necessary;
5. Obtain a signed statement and record of interview from the person;
6. Make contact with any witnesses and obtain written and signed statements outlining details of the allegation (what happened, when, how). This should only occur following advice from the relevant authority; and
7. Obtain other information that could assist in making a decision on the allegation.

The information collected during the investigation should be made available to the relevant authorities. Strict confidentiality, impartiality, fairness and due process must be maintained at all times. For allegations of a less serious nature (e.g. verbal abuse):

1. Where possible, appoint an independent person with appropriate expertise to make contact and meet with each of the people involved to obtain details of the allegation.



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2. The investigator should follow the procedure set out in *Section C – Investigation Procedure*.

STEP 5: Record and analyse all information.

If an internal investigation was conducted under *Step 4*, the investigator will provide a report to the CEO. The decision-maker(s) will be the CEO of the NSO and will remain separate and at arm's length from the investigator. The CEO will consider all the information and determine a finding. It will also recommend action and its rationale for the action.

STEP 6: Undertake disciplinary action.

For incidents of a serious or criminal nature, consideration must be given to the findings of the police and/or the government agency before making a decision on disciplinary proceedings. If disciplinary action is to be taken, follow the procedures outlined in *Section C – Disciplinary Measures* of the policy, and:

1. Implement any disciplinary decision recommended by the CEO. The action should be immediate.
2. Check with the Commission for Children and Young People to see if they require notification of relevant employment proceedings.
3. Complete the relevant report form in Part E of this policy. Retain the original in a secure place and forward a copy to the CEO of The Company.

HEARINGS & APPEALS TRIBUNAL PROCEDURE

These procedures must be read in conjunction with Queensland Athletics Constitution and By-Laws and if a conflict occurs between this document and the abovementioned, Queensland Athletics Constitution and By-Laws will take precedence. The following Tribunal Hearing Procedure will be followed by hearings tribunals established by Queensland Athletics.

Tribunal Formation and Notification

A Tribunal Panel will be constituted following the rules outlined in Queensland Athletics Constitution, to hear a complaint that has been referred to it by the CEO.

The CEO will organise for a Tribunal to be convened by notifying the Tribunal Panel members that they are required to hear a complaint. The Tribunal Panel members will be provided with a



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copy of all the relevant correspondence, reports or information received and sent by the CEO relating to the complaint/allegations.

The Tribunal Hearing will be scheduled as soon as practicable, but must allow adequate time for the person being complained about (respondent(s)) to prepare to respond to the complaint.

The number of Hearing Tribunal Panel members required to be present throughout the Tribunal Hearing Process will be a minimum of three (3) persons, and:

1. The Tribunal Panel will not include any person who has any actual or perceived conflict of interest, preconceived opinions, vested interests or personal involvement relating to the complaint.
2. The Tribunal Panel will comprise at least one person who has knowledge, and Preferably experience, of any relevant laws relating to the complaint (e.g. anti-harassment).
3. If a member of the Tribunal Panel cannot continue once the Tribunal Hearing has commenced, and the minimum number required for the Tribunal Hearing is still maintained, the discontinuing member will not be replaced.
4. If the specific or minimum number is not maintained, the discontinuing member may be replaced if it is considered appropriate by the Tribunal Chairperson. Factors to consider should include the circumstances of the complaint and the ability of the new Tribunal Panel member to be reasonably and impartially informed of the hearing evidence up until the time of their appointment. If the Tribunal Chairperson believes it is not appropriate for a new Tribunal Panel member to be appointed then the Tribunal will be rescheduled to a later date. The Tribunal Chairperson will inform the CEO of the need to reschedule, and the CEO will organise for the Tribunal Hearing, with a new Tribunal Panel to be reconvened.

The CEO will inform the respondent(s) by written notification that a tribunal hearing will take place. The written notification will outline:

1. That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
2. Details of the complaint, including any relevant rules or regulations they are accused of breaching (if there is more than one complaint these should be set out separately);



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3. The date, time and venue of the tribunal hearing;
4. That they can make either verbal or written submissions to the Tribunal;
5. That they may arrange for witnesses to attend the Tribunal in support of their position;
6. An outline of any possible penalties that may be imposed if the complaint is found to be true; and
7. If the respondent is considered a minor, they have a parent or guardian present.

A copy of any information/documents that have been given to the Tribunal (eg investigation report findings) will also be provided to the respondent. The respondent(s) will be allowed to participate in all Queensland Athletics activities and events, pending the decision of the Tribunal, including any available appeal process, unless the CEO believes it is warranted to exclude the respondent(s) from all or some Queensland Athletics activities and events, after considering the nature of the complaint.

The CEO will inform the person making the complaint (complainant) by written notification that a tribunal hearing will take place. The written notification will outline:

1. That the person has a right to appear at the tribunal hearing to support their complaint;
2. Details of the complaint, including any relevant rules or regulations they are accused of breaching (if there is more than one complaint these should be set out separately);
3. The date, time and venue of the tribunal hearing;
4. That they can make either verbal or written submissions to the Tribunal;
5. That they may arrange for witnesses to attend the Tribunal in support of their position; and
6. If the complainant is considered a minor, they have a parent or guardian present.

A copy of any information/documents that have been given to the Tribunal (eg. investigation report findings) will also be provided to the complainant. If the complainant believes the details of the complaint are incorrect or insufficient they should inform the CEO as soon as possible so that the respondent and the Tribunal Panel members can be properly informed of the complaint.



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Tribunal Hearing Procedure

1. The following people will be allowed to attend the Tribunal Hearing:
 - (a) The Tribunal Panel members;
 - (b) The respondent(s);
 - (c) The complainant;
 - (d) Any witnesses called by the respondent;
 - (e) Any witnesses called by the complainant;
 - (f) Any parent/guardian or support person required to support the respondent or the complainant.
2. The Tribunal Chairperson will call the hearing to order at the designated time and determine if the respondent(s) is present.
3. If the respondent(s) is not present and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been carried out correctly.
4. If the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent(s) is presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been carried out correctly, then the Tribunal Hearing will be rescheduled to a later date.
5. The Tribunal Chairperson will inform the CEO of the need to reschedule, and the CEO will organise for the Tribunal Hearing to be reconvened.
6. The Tribunal Chairperson will read out the complaint that is to be judged, ask the respondent(s) if they understand the complaint being made against them, and if they agree or disagree with the complaint.
7. If the person agrees with the complaint, they will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures.
8. If the person disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.



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- (a) Brief notes may be referred to.
 - (b) The complainant will be allowed to call witnesses.
 - (c) The respondent(s) may be allowed to question the complainant and their witnesses.
9. The respondent(s) will then be asked to respond to the complaint.
 - (a) Brief notes may be referred to.
 - (b) The respondent will be allowed to call witnesses.
 - (c) The complainant may be allowed to ask questions of the respondent and their witnesses.
10. Both the complainant and respondent will be allowed to be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the Tribunal Hearing until required.
11. The Tribunal will be allowed to:
 - (a) Consider any evidence, and in any form, that it deems relevant.
 - (b) Question any person giving evidence.
 - (c) Limit the number of witnesses presented if it is agreed by all parties that they will support the person who requested them, but will not provide any new evidence.
12. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
13. If the Tribunal considers that, at any time during the Tribunal Hearing, there is any unreasonable or intimidatory behaviour from anyone allowed to be present, the Tribunal Chairperson shall have the power to stop any further involvement of the person in the Tribunal Hearing.
14. After all of the evidence has been presented the Tribunal Panel will make its decision in private. If the Tribunal believes the complaint has been substantiated on the balance of probabilities (i.e. more probable than not), the respondent will then be given an opportunity to address the Tribunal Panel and make a



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submission on any disciplinary measures that may be imposed. Any disciplinary measure imposed must be reasonable in the circumstances.

15. All decisions made by the Tribunal will be based on a majority vote.
16. The Tribunal Chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed.
17. Within 48 hours, the Tribunal Chairperson will:
 - (a) Forward to the CEO a copy of the tribunal decision including any disciplinary measures imposed, and;
 - (b) Forward a letter to the respondent(s) reconfirming the Tribunal's decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal to be made.

Appeals Procedure

1. A complainant or a respondent(s) who is not satisfied with a decision described in *Step 7* of the Complaints Procedures can lodge one appeal to The Company on one or more of the following bases:
 - (a) That a denial of natural justice has occurred; or
 - (b) That the disciplinary measure(s) imposed is unjust and/or unreasonable.
2. A person wanting to appeal in accordance with paragraph 25 must lodge a letter stating their intention and the basis for their appeal with the CEO within 14 days of the relevant decision. Please refer to The Queensland Athletics By-Laws for appeals application fees.
3. If the letter of appeal is not received by the CEO within the relevant time period, the right of appeal will lapse. If the letter of appeal is received but the appeal fee is not received by the relevant time, the appeal shall be deemed to be withdrawn.
4. Upon receipt of the letter of appeal, the CEO must convene a special meeting of the association's Appeal Tribunal to review the letter of appeal and decide whether there are sufficient grounds for the appeal to proceed. Queensland Athletics Appeal Tribunal will be able to invite to the meeting any witnesses it believes are required to make an informed decision.



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5. If it is considered that the letter of appeal has not shown sufficient grounds for appeal, then the appeal will not proceed and the person will be notified of this decision and the reasons for this decision. The appeals fee will only be refunded at the discretion of the Appeals Tribunal.
6. If the appeal is considered to have sufficient grounds to proceed then a Tribunal with a new panel will be convened to rehear the complaint. The Queensland Athletics Appeal Tribunal shall follow the Tribunal Formation and Notification procedures outlined above.
7. The Tribunal Hearing Procedure shall be followed for the appeal.
8. The decision of the Appeals Tribunal will be final.

DISCIPLINARY MEASURES

The following disciplinary measures must be read in conjunction with the Queensland Athletics Constitution and By-Laws. Any disciplinary measure imposed by the hearings tribunal and/or CEO under this policy must:

1. Observe any contractual and employment rules and requirements;
2. Conform to the principles of natural justice;
3. Be fair and reasonable;
4. Be based on the evidence and information presented; and
5. Be within the powers of the hearings tribunal and/or CEO to impose the disciplinary measure.

Individual

Subject to contractual and employment requirements, if a finding is made that an individual has breached the Queensland Athletics Member Protection Policy (including the Codes of Conduct), one or more of the following forms of discipline may be imposed by the hearings tribunal and/or CEO:

1. A direction that the individual make a verbal and/or written apology;
2. A written warning;
3. A direction that the individual attend counselling to address their behaviour;



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4. A withdrawal of any awards, placings, records, achievements bestowed in any events, activities or events held or sanctioned by Queensland Athletics;
5. A demotion or transfer of the individual to another location, role or activity;
6. A suspension of the individual's membership or participation or engagement in a role or activity;
7. Termination of the individual's membership, appointment or engagement;
8. Recommendation that Queensland Athletics terminate the individual's membership, appointment or engagement;
9. In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
10. Any other form of discipline that the hearings tribunal and/or CEO considers appropriate.

Imposition of any form of discipline will be accompanied by a warning that a similar breach of policy by that individual in the future may result in the imposition of a more serious form of discipline.

In addition to the above, should the Board determine that an individual is in breach of this Policy it may, depending on the severity of the breach:

1. Report the matter to the Queensland law enforcement authority or the relevant law enforcement authority in that country;
2. Withdraw any assistance provided to the individual and prevent the individual from receiving any future assistance for such period as is determined appropriate;
3. Suspend the individual, whether for a fixed period or indefinitely, from participating in or any future participation in any athletics competition or impose such conditions on the continuing participation or future participation by the individual in such competitions; and
4. Impose such other sanction which the Board in its absolute discretion determines appropriate, including but without limitation, requiring the individual to undergo counselling as directed by the Board.



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Organisations

If a finding is made that Queensland Athletics, its clubs members or affiliates has breached the Queensland Athletics Member Protection Policy (including the Codes of Conduct), one or more of the following forms of discipline may be imposed by the hearings tribunal and/or CEO:

1. A written warning;
2. A monetary fine;
3. A direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;
4. A direction that any funding granted or given to it by the national body or a peak association cease from a specified date;
5. A direction that the state body and peak associations cease to sanction events held by or under the auspices of that organisation;
6. A recommendation to the national body and peak associations that its membership of the national body and peak associations be suspended or terminated in accordance with the relevant constitution or rules; and/or
7. Any other form of discipline that the national body or peak organisation considers to be appropriate.

When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by the organisation in the future may result in more serious form of discipline.

Member or Association Member

Should the Board determine that a Member or Associate Member has breached the Constitution or this Policy, it will impose a sanction commensurate with the severity of the breach and may:

1. Impose a fine not exceeding \$10,000.00 to be paid;
2. Suspend the Member or Associate Member for either:
 - (a) A period of no more than six months; or



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- (b) Until the Member or Associate Member rectifies the breach or conduct in question.

Should the Member or Associate Member not rectify the breach or conduct in question within six months, the Board will refer the issue to the Members in general meeting who may determine by special resolution to extend the period of suspension.

Employee/Officer

Should the Board determine that an employee/officer of the Company is in breach of this Policy then the employee/officer may be sanctioned in accordance with the conditions governing his or her employment and depending on the nature of the breach, report the employee/officer to the relevant law enforcement authority in Queensland or where the incident occurred overseas, the relevant law enforcement authority in that country.

All Members, Associate Members, Honorary Life Members, Athletes, Officials and Employees and Officers of Queensland Athletics must provide assistance and information to the Board as requested by the CEO to enable the association to properly implement this Policy.

All persons concerned must keep confidential and not comment publicly on or disseminate to any person information concerning:

1. The fact of and details of any allegation that a person has breached this Policy;
2. All evidence obtained on behalf of the Company or provided by any person in connection with the alleged breach of this Policy; and
3. The fact, details and outcome of any hearing into the alleged breach of this Policy;



PART D - ROLE-SPECIFIC CODES OF CONDUCT

GENERAL CODE OF CONDUCT

As a member of Athletics Australia, Queensland Athletics or an affiliated club or a person required to comply with the Queensland Athletics Member Protection Policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by Athletics Australia, Queensland Athletics or an affiliated club and in any role you hold within Athletics Australia, Queensland Athletics or an affiliated club:

1. Respect the rights, dignity and worth of others;
2. Be fair, considerate and honest in all dealing with others;
3. Be professional in, and accept responsibility for your actions;
4. Make a commitment to providing quality service;
5. Be aware of, and maintain an uncompromising adherence to, Queensland Athletics standards, rules, regulations and policies;
6. Operate within the rules of the sport including national and international guidelines, which govern Athletics Australia, Queensland Athletics or an affiliated club;
7. Do not use your involvement with Athletics Australia, Queensland Athletics or an affiliated club to promote your own beliefs, behaviours or practices where these are inconsistent with those of Athletics Australia, Queensland Athletics or an affiliated club;
8. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example;
9. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible;
10. Refrain from any form of harassment of others;
11. Refrain from any behaviour that may bring Athletics Australia, Queensland Athletics or an affiliated club into disrepute;
12. Provide a safe environment for the conduct of the activity;



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13. Show concern and caution towards others who may be sick or injured;
14. Be a positive role model; and
15. Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

OFFICIAL / VOLUNTEER CODE OF CONDUCT

Official/Volunteer: means a person who either:

1. Has been nominated for selection to, or selected as a member of any team nominated or selected by Queensland Athletics, the AOC, the Australian Commonwealth Games Association or Athletics Australia, other than as an Athlete; or
2. Administers, manages, coaches, officiates, assists or is otherwise involved in the sport of athletics other than as an Athlete and includes section managers, assistant section managers, technical official, volunteer, chiropractors, coaches, massage therapists, medical practitioners, nutritionists, physiotherapists, psychologists and the like at all levels of the sport.

In addition to the Queensland Athletics General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held by or under the sanction or auspices of Athletics Australia, Queensland Athletics or an affiliated club and in your role as an Official/Volunteer of Athletics Australia, Queensland Athletics or an affiliated club:

1. Resolve conflicts fairly and promptly through established procedures;
2. Place the safety and welfare of the participants above all else;
3. Maintain strict impartiality;
4. Be aware of your legal responsibilities;
5. Accept responsibility for all actions taken;
6. Avoid any situation which may lead to a conflict of interest;
7. Be courteous, respectful and open to discussion and interaction; and
8. Value the individual in sport.



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This Code is to read in conjunction with the general rules of competition of Queensland Athletics, Athletics Australia and the IAAF.

ATHLETE CODE OF CONDUCT

In addition to the Queensland Athletics General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by Athletics Australia, Queensland Athletics, an affiliated club or venue and in your role as a participant in any activity held by or under the auspices of Athletics Australia, Queensland Athletics or an affiliated club or venue:

1. Respect the rights, dignity and worth of fellow athletes, coaches and officials;
2. Do not tolerate inappropriate behaviour from others;
3. Respect the talent, potential and development of fellow athletes and competitors;
4. Care for and respect the equipment provided to you as part of your program;
5. Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements;
6. At all times maintain an appropriate relationship with your coach;
7. Maintain high personal behaviour standards at all times;
8. Abide by the rules and respect the decision of the officials, making all appeals through the formal process and respecting the final decision;
9. Be honest in your attitude and preparation to training;
10. Cooperate with coaches and staff in development of programs to adequately prepare you for competition at the highest level.

EMPLOYEE CODE OF CONDUCT

In addition to the Queensland Athletics General Code of Behaviour and any appropriate staff manual provided by Athletics Australia, Queensland Athletics, an affiliated club or venue an employee must meet the following requirements in regard to their conduct during any activity held by or under the auspices of Athletics Australia, Queensland Athletics, an affiliated club or venue and in their role as an administrator for Athletics Australia, Queensland Athletics or affiliated club or venue.



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Introduction

All Queensland Athletics employees must be familiar with the Queensland Athletics Employee Code of Conduct. The Code is provided to assist employees in understanding what is expected of them as they carry out their responsibilities at Queensland Athletics.

We expect that our partners, associates and consultants will be guided by this Code as well.

Our principles form the basis for the ethical standards, which are spelled out in the Code. They are: *integrity, respect, responsibility, excellence, teamwork, improvement and innovation and goal orientated-behaviour.*

Integrity: honesty and ethical behaviour are critically important in everything that an employee does.

Respect: employees show respect for one another by treating everyone with dignity and fairness.

Responsibility: employees are accountable for their actions and honour their commitments.

Excellence: employees will excel at everything they do and will strive for the highest standards of quality to achieve the vision of a united athletics organisation.

Teamwork: employees work together as a team in a spirit of respect for others and the worth of their contribution.

Improvement and Innovation: employees constantly seek to find a new and better way.

Goal-Orientated Behaviour: employees set challenging targets that employees strive to meet at all times.

The Code does not cover every situation that employees may encounter as employees perform their job. It should, however, serve as a guide for their behaviour with people outside Queensland Athletics as well as with fellow employees. If employees are unsure about how to handle a situation they should contact their manager or the appropriate person at Queensland Athletics.

All employees are faced with ethical questions from time to time in their business conduct. In resolving these questions, employees should consider these basic questions:

1. What guidance does the Code provide?



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2. If their conduct were reported on the front page of the newspaper, would they be comfortable with their decision?
3. How would they feel if the conduct or actions were directed at them?
4. What would their manager, co-workers and family think of their conduct?

The consequences of unethical behaviour can be serious to the organisation and to employees personally.

Workplace Practices

Queensland Athletics will meet its business objectives by employing people with the right skills. Creativity is nurtured when people constructively seek the best of each person's ideas to develop the best solutions. By fully utilising the broad array of talents and skills that come from a diverse workforce, employees provide Queensland Athletics with a competitive advantage, enabling the association to achieve success.

All employees deserve to work in circumstances in which they are accorded respect. Harassment or discrimination of any kind related to race, colour, religion, gender, age, national origin, citizenship, disability, political persuasion, sexual orientation, veteran or marital status is unacceptable and will not be tolerated.

Business and Accounting Practices

All Queensland Athletics payments and other transactions must be properly authorised by management and be accurately and completely recorded on Queensland Athletics books and records in accordance with generally accepted accounting principles and established corporate accounting policies.

Information must always be reported accurately and honestly. No false, incomplete or misleading entries or records should be created, including travel expense reports. No undisclosed or unrecorded corporate funds should be established for any purpose, nor should Queensland Athletics funds be placed in any personal or non-organisation account.

Internet Use

The Company provides access to the Internet for business purposes. Access to the Internet is to be used as a tool to accomplish business tasks and not for personal use.



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Specifically, employees may not use their Internet access privilege to:

1. Engage in either viewing or communicating materials of an obscene, hateful, discriminatory or harassing nature;
2. Engage in or solicit any private business for personal gain or profit;
3. Engage in any illegal activities including gambling or attempting to gain unauthorised access to another site;
4. Engage in any activity that compromises the privacy of any users or other units;
5. Engage in any activity that is against Queensland Athletics policies or that would be contrary to the organisation's best interest, or that do not apply with the law; or
6. Disclose confidential or proprietary information by any means.

Queensland Athletics reserves the right to monitor any and/or all internet related activity occurring through the associations system. Any users found in violation of the Acceptable Use Policy may be subject to, at a minimum, denial of access, up to termination of employment and/or criminal prosecution.

Electronic Mail Communication and Systems Use

The Company provides a number of different electronic and voice communication systems for company business. From time to time employees may send personal messages on the company's systems but these messages should be brief and kept to a minimum. Messages for personal gain or solicitation, chain letters, and threatening, obscene or harassing messages are prohibited.

All electronic mail, conferencing data, voice mail and information of any kind that is stored on Queensland Athletics equipment is considered the property of the association. Queensland Athletics may periodically check usage to correct network problems and to establish proper use and security. An employee should not have any expectation of personal privacy for messages or information, which is developed, sent, received or stored on these systems.

Conflict of Interest

Although generally employees are free to engage in a range of personal financial transactions, there are some limitations. Employees must avoid situations in which their loyalties are divided between Queensland Athletics interests and their own personal interests. Employees refer to



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this as a "Conflict of Interest". A conflict of interest makes it difficult to objectively carry out their job responsibilities or to act in the best interest of Queensland Athletics. It is important to avoid even the appearance of a conflict of interest. Employees are required to inform their manager of any situation, which may involve a conflict of interest. Typically, problems arise when relationships or outside interests influence, or can be perceived as influencing, decisions employees make for Queensland Athletics.

Confidentiality of the Company Proprietary Information

Information about our products, services, customers and strategies is critical to our competitive position in the marketplace. As employees, employees are given access to company information in trust. Employees must protect it and use it appropriately. This applies both outside as well as inside the organisation. Queensland Athletics proprietary business information is company property and may not be disclosed outside of the association, except as specifically authorised by management.

Proprietary information includes business, financial or marketing plans, athlete lists, pricing information, employee personnel information, joint venture agreements and internal discussions. Employees need to take steps to ensure that any Queensland Athletics confidential information is safeguarded against external disclosure as well as from unauthorised disclosure within Queensland Athletics.

This also applies to information stored on personal computers or workstations. If business needs dictate releasing or sharing sensitive information prior to a general public release, appropriate protection should be obtained under a non-disclosure agreement.

Employees of Queensland Athletics must:

1. Agree to keep in strictest confidence and not to disclose directly or indirectly, without written authority, to anyone other than an employee of the association, authorised to receive the same, and not to use for his/her own benefit or the benefit of the third party, any information relating to the conduct of the business of Queensland Athletics and which information, whether in the nature of trade secrets or otherwise, is not generally available to persons not employed by Queensland Athletics.
2. Acknowledge that the said information represents confidential and valuable property of Queensland Athletics by virtue of its special nature and novelty, and so agrees not to disclose it directly or indirectly or otherwise to use it for his/her own benefit or the benefit of a third party, even after completing his/her employment with Queensland Athletics, unless the information becomes



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generally available to the public or Queensland Athletics consents to his/her making such disclosure or use, the Employee acknowledging and recognising that Queensland Athletics shall suffer damage by any such disclosure or use;

3. Agree to assign to Queensland Athletics his/her entire right, title and interest in and to, and any copyright and rights of like nature or kind to, any and all products and process or procedural improvements which (either solely or jointly with others) he/she has made or may make during and/or as a result of his/her employment with Queensland Athletics and which products and process or procedural improvements relate to any of the services of the association and any work performed by him/her during such employment;
4. Agree promptly to disclose to Queensland Athletics, or its Attorneys, any and all such products and process or procedural improvements made by him/her and agrees to execute upon demand, but without expense, all documents which may be desirable to secure to Queensland Athletics the best patent protection in Australia and elsewhere and/or rights relating to such inventions and improvements;
5. Agree that he/she will not directly or indirectly publish, except with Queensland Athletics prior written consent, any of the information in relation to such products, process improvements and that on completing his/her employment with Queensland Athletics he/she will, if so required, promptly hand over to the nominated representative of Queensland Athletics all drawings, notes, correspondence and other printed, written or photographed material (and any copies thereof), computer programs and other software and or hardware in his/her possession, power or control relating to the said products and that he/she will not retain any such documents or written material.

Proprietary Information of Others

Just as employees endeavour to protect our information, other organisations do as well. While it is important that employees are well informed about our competitors, employees may not solicit, receive or use any proprietary information belonging to others.

Information about our customers, suppliers, competitors, partners and consultants which is already published, in the public domain, or independently developed, is not considered to be proprietary. In addition, employees may not use third parties to acquire information by improper means. Employees realise that in the course of normal business activities, suppliers, customers



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and competitors may sometimes divulge to employees information that is proprietary to their business. This does not necessarily make it acceptable to use this information.

Protection of Employee Information

The Company collects data and maintains records about its employees and applicants for a number of reasons. This includes information about salary and benefits, job performance, employment history, and career and succession planning. These records may be created and maintained in both hard copy and electronic forms.

Queensland Athletics limits access to this information to only those employees who have a legitimate need to know such information to perform their jobs. Queensland Athletics also limits the reporting of this data to that which is legally required, or in accordance with an employee request or with their consent. This approach is intended to protect the individual privacy of employee and applicant data. All employees are required to respect the use of personal data in accordance with Queensland Athletics policy and applicable laws regulating the collection and protection of such data.

Reporting Potential Employee Code of Conduct Violations

Any employee may contact their manager/supervisor or the Chief Executive Officer with a question or concern about a business practice or to report any suspected or potential violation of the Employee Code of Conduct. All employees have an obligation and responsibility to report any suspected or potential ethics violation. When employees contact their manager or the Chief Executive Officer their concerns will be addressed seriously. Any manager who receives such a report should immediately notify the Chief Executive Officer. No adverse action or retribution will be taken against anyone for making a good faith report of a suspected ethics violation. Any attempt to take retribution of any kind will not be tolerated.

Ethics Investigations and Discipline

Depending on the situation, it may be necessary for the organisation to conduct an internal investigation to determine whether a violation of the Code has taken place. Every employee is required to cooperate fully with any internal investigation consistent with the employee's rights under the law. Queensland Athletics may find it necessary to take appropriate action against any person shown to be involved in a violation or irregularity. Violations of the Code may result in discipline ranging from warning and reprimand to termination. Discipline decisions will be made by the operating management, subject to review by members of executive management who make up The Queensland Athletics Ethics Committee. Employees will be given an opportunity to explain their actions before any disciplinary action is imposed.



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Human Resources and Other Issues

Human Resources concerns or queries, such as pay, benefits and employee relations issues should be directed to their immediate manager or Chief Executive Officer of Queensland Athletics.

ATHLETES & OFFICIALS TEAM CODE OF CONDUCT

Definitions & Interpretation

In this Code, the following words have the respective meanings:

Queensland Athletics Sponsor: means any sponsor of or supplier to Queensland Athletics.

Athlete: means a Team Member or Supported Athlete.

Athlete Sponsor: means any sponsor of or supplier to an Athlete.

Authorised Officer: means any person appointed by Queensland Athletics or the Team Leader to assist with the leadership, management or administration of any duty given to individuals by Queensland Athletics.

Commercial Purpose: means advertising, promotion, marketing or endorsement of goods, services or any third party by any means or media, including the Internet.

Competition: means any local, national or international competition or championships and any other sporting competition or event in which a Team is to compete or participate.

Image: means:

1. A photograph or other representation of the image of the person and whether two or three dimensional;
2. A caricature of the person;
3. An original or copy signature of the person;
4. The voice of the person;
5. The name of the person;
6. The trademark of the person;



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7. The sports performances of the person;
8. A quotation attributed to the person; or any combination of two or more of the above.

Internet: means the world-wide network of Transmission Control Protocol/Internet Protocol based networks, including without limitation, servers running applications such as the World Wide Web, e-mail, chat, File Transfer Protocol and Gopher. For the purpose of this Code of Conduct, it also means any other form or medium for the digital transmission of images, sound and data, including broadband and interactive television, Wireless Application Protocol and Systems Management Servers.

Specialised Equipment: means the footwear, apparel and equipment desired to be used or worn by Team Members at the Competitions for which they have been selected, other than Team Uniform or equipment supplied by Queensland Athletics.

Supported Athlete: means a competitor who:

1. Receives financial or other assistance from Athletics Australia, Queensland Athletics or The Queensland Academy of Sport; or
2. Has been nominated for selection in any Team;

Team: means any team selected by Queensland Athletics or Athletics Australia to represent their state or country.

Team Assembly: means the official gathering of the Team for the Competition for which the Team Member is selected under the control of the Team Leader.

Team Leader: means any person appointed by the Company whose role is the leadership, management or administration of any Team.

Team Member: means any person selected by Queensland Athletics as a member of a Team, whether as an athlete, coach, official or support staff.

Team Membership Period: means the period from the earlier of:

1. The start of the Team Assembly; or
2. Where there is no Team Assembly for that particular Competition, the date on which the Competition for which the Athlete is selected commences; and ends at midnight on the last day of the Competition for which the Athlete is selected.



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Team Sponsor: means any sponsor or supplier designated by Queensland Athletics to be an official sponsor of or supplier to the association or any Team.

Team Uniform: means ceremonial, formal and casual apparel, competition sportswear and equipment supplied by Queensland Athletics for use at the Competition for which the Team Member has been selected.

Application of this Code of Conduct

This Code of Conduct applies to:

1. Team Members during the Team Membership Period;
2. Team Members with respect of this Policy at any time;
3. Supported Athletes during the period of support; and
4. The heirs, executors, assigns and personal representatives of the persons named above.

The following sanctions are applicable in the event of any breach of this Code of Conduct:

A Team Member may:

1. Have their membership of the Team terminated;
2. Be required to leave the Competition for which they have been selected;
3. Be excluded from competing at the Competition for which they have been selected;
4. Be considered ineligible for membership in future Teams; and/or
5. Have financial penalties imposed in respect of grants and funding received from Queensland Athletics.

A Supported Athlete may:

1. Have the assistance being provided by Queensland Athletics cease;
2. Be considered ineligible for selection in future Teams; and/or



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3. Be required to repay any financial assistance previously provided by Queensland Athletics.

Obligations – General Conduct

Team Members are required to:

1. Respect the spirit of fair play and non-violence and behave accordingly during the Team Membership Period;
2. Conduct themselves so as to obtain and maintain their best possible mental and physical fitness and health to perform to the best of their ability at the Competitions they have been selected to participate in and to carry out their duties to the Team to the best of their ability;
3. Observe and comply with all reasonable directions of Queensland Athletics, the Team Leader or any other Authorised Officer, and any person appointed by them;
4. Conduct themselves in a proper manner to ensure Team harmony and so as, in the opinion of the Team Leader, to not bring themselves, Queensland Athletics, the Team or the sport of athletics into public disrepute or censure, to the absolute satisfaction of Queensland Athletics;
5. Comply with the following guidelines in relation to the consumption of alcohol:
 - (a) Team Members under 18 years of age must not consume alcohol under any circumstances
 - (b) For all other Team Members the consumption of alcohol must be in accordance with local laws and rules of the Competition for which they have been selected;
 - (c) Consumption must not detract from their performance at the Competition for which they have been selected;
 - (d) Consumption must not adversely affect their behaviour; and
 - (e) Consumption must not cause offence to others.
6. Comply with all applicable By-Laws and Policies of Queensland Athletics as adopted from time to time;



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7. At all times act courteously to the public and observe all local customs and laws and behave in a manner that will not cause offence to others;
8. Be polite and courteous when being interviewed by the media and be honest in their answers, and not to make any comments that criticise or disparage the performance of another Team Member, or otherwise make comments that are likely to bring themselves, Queensland Athletics, the Team or the sport of athletics into public disrepute or censure; and
9. Wear throughout the Competition for which they have been selected, the Team Uniform and use the equipment supplied to them as a member of the Team. The Team Sponsor's marks on this clothing must not be obscured or damaged. The requirement to wear the Team Uniform does not apply to Specialised Equipment as mutually agreed. Team Members must not, whether before, during or after the Team Membership Period disparage Queensland Athletics, any officer of Queensland Athletics or any fellow member of the Team or otherwise bring into public disrepute or censure the sport of athletics, or Queensland Athletics, Athletics Australia or the IAAF.

Queensland Athletics Members are required to:

1. Respect the spirit of fair play and non-violence and behave accordingly;
2. Conduct themselves so as to obtain and maintain their best possible mental and physical fitness and health to perform to the best of their ability;
3. Conduct themselves in a proper manner so as, in the opinion of the CEO, to not bring themselves, Queensland Athletics, The Queensland Academy of Sport, Athletics Australia or the sport of athletics into public disrepute or censure to the absolute satisfaction of Queensland Athletics;
4. Be polite and courteous when being interviewed by the media and be honest in their answers, and not to make any comments that, in the opinion of the CEO, are likely to bring themselves, Queensland Athletics, the Team or the sport of athletics into public disrepute or censure;
5. Comply with all applicable By-Laws and Policies of Queensland Athletics as adopted from time to time; and
6. At all times act courteously to the public, fellow athletes and athletic officials and observe all local customs and laws and behave in a manner that, in the opinion of the CEO, will not cause offence to others.



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Obligations – Medical Assessment

Athletes will:

1. Participate in medical assessments at such time and place as reasonably determined by Queensland Athletics;
2. Provide the medical practitioner conducting assessment with their complete medical history including details of all drugs and other substances used by or administered to them in the previous 6 months or on an irregular basis; and
3. Undergo any medical testing as may be reasonably required by Queensland Athletics, Athletics Australia, The Queensland Academy of Sport, the Team Leader or any other authorised Officer, including, but not limited to, giving blood samples for analysis. Such analysis may include testing for human immunodeficiency virus (HIV).

Obligations – Athlete Sponsors

Athletes will not consent to their person or image being used for a Commercial Purpose involving activities which:

1. Breach any State or Federal Government law;
2. Use the trade marks and other indicia and images of and associated with Queensland Athletics and/or the Team;
3. Represent that the Athlete Sponsor has the approval of or is affiliated with any Competition, Queensland Athletics or the Team; or
4. Bring the Athlete, Queensland Athletics, the Team, any Competition, the Team Sponsors or any member of the Team into public disrepute or censure.

During the Team Membership Period, Team Members will not promote, or allow their person or Image to be used for any Commercial Purpose that is in competition with a Sponsor of Queensland Athletics or a Team Sponsor without the prior written consent of Queensland Athletics.

In relation to Specialised Equipment, during the Team Membership period Team Members will not promote or advertise their Specialised Equipment by any representation or reference to their membership of the Team for which they have been selected, or permit, condone or



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authorise any such promotion or advertisement without the prior written consent of the Company.

Obligations - The Company's Marketing

Athletes acknowledge that the Queensland Athletics Sponsors and the Team Sponsors contribute to the development of athletes and the sport of athletics and help to fund the cost of Teams and in return for this support require commitments from Queensland Athletics on behalf of Athletes. Except to the extent that the Athlete Sponsors compete with any of the Team Sponsors, Athletes will:

1. Assist and co-operate with Queensland Athletics Sponsors and the Team Sponsors to enable the Team Sponsors to maximise the promotional benefits from their sponsorship of, or supply to Queensland Athletics and the Team;
2. Comply with all reasonable directions of Queensland Athletics or its authorised nominees in assisting Queensland Athletics Sponsors and the Team Sponsors, including, but without limitation, ensuring that any logos of Team Sponsors receive the widest possible exposure; and
3. Provide all reasonable assistance to Queensland Athletics in its fundraising activities.

A conflict between an Athlete Sponsor and any or all of the Team Sponsors will not prevent an Athlete and/or their Image being used in Queensland Athletics Sponsor or the Team Sponsor's advertising, promotion or marketing activities, including historical records provided that such use of the Athlete and/or their Image is limited to being part of the Team as a whole whether before, during or after the Competition for which they have been selected, in any media or forum, including the Internet.

To assist The Company, the Athletes will not:

1. Cover up and attempt to conceal any logos of Team Sponsors during the Team Membership Period; or
2. Use, wear or permit to be used or worn any or all of the Team Uniform for any Commercial Purpose without the prior written permission of Queensland Athletics; and
3. Behave in a manner which may harm the good reputation of Queensland Athletics, the Team and any future Team whilst wearing or using any or all of the Team Uniform.



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In the event of any breach of this Policy, the Team Member concerned will be considered in breach of the code of conduct.

Obligations - Specialised Equipment For Team Members

Any other clothing or equipment that Team Members wish to wear or use in competition must receive written approval from Queensland Athletics on a case by case basis.

All Specialised Equipment must conform to the “look and design” of the Team unless otherwise approved by Queensland Athletics and Athletics Australia.

Each Team Member wishing to wear or use Specialised Equipment is responsible for the cost of supplying the same.

Obligations – Gambling

Team Members will not appear in, participate in or permit their Image to be used, for or in connection with, the endorsement, promotion or marketing of any betting or gambling agency that relates to any Competition.

Team Members will not participate or assist in any gambling or betting activities associated with the staging of, or any performances at the Competition for which they have been selected. Specifically, Team Members will not bet or gamble on any event in which they compete or on which they have obtained information that is not publicly available.

Breach of Code of Conduct

Any breach of this Policy by a Team Member occurring during a Team Membership Period will:

1. Be determined by the Team Leader for the Team and whose decision will be final and binding; and
2. Any other breach of this Policy will be determined by the CEO. Any person aggrieved of decision of the CEO under this Policy may appeal to the Appeals Tribunal in accordance with this Policy.

Breach of Policy

Any alleged breach of this Policy received as a Complaint must be handled according to the provisions of this Policy; any alleged breach of this Policy will be referred by the Team Leader (in the case of a breach by a Team Member during a Team Membership Period) or otherwise by the CEO to the Board for determination; and If a



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breach of this Policy is established to have occurred, then the following maximum sanctions may be applied:

1. In the case of a Team Member:
 - (a) Removal from the Team of which the person was a member at the time of the offence;
 - (b) Disqualification from being a member of any other Team for such period as the Board deems appropriate;
 - (c) Disqualification from participating in any event or competition conducted under the control or auspices of Queensland Athletics or Athletics Australia for such period as the Board deems appropriate; and
 - (d) Repayment of all financial assistance given to the Team Member by Queensland Athletics or associated clubs and other relevant organisations.

2. In the case of a Supported Athlete:
 - (a) Disqualification from being a member of any Team for such period as the Board deems appropriate;
 - (b) Disqualification from participating in any event or competition conducted under the control or auspices of Queensland Athletics for such period as the Appeals Tribunal deems appropriate; and
 - (c) Repayment of all financial assistance given to the Team Member by Queensland Athletics or affiliated clubs and relevant connected organisations.

Any person aggrieved by a decision of the Team Leader, CEO or Board under this Policy may appeal to the Appeals Tribunal in accordance with this Policy.



PART E – REPORTING DOCUMENTS/FORMS

To assist in consistency and accuracy in following procedure and reporting on the issues covered by the Queensland Athletics Member Protection Policy the following documents are to be used:

- ◆ Confidential Record of Informal Complaint
- ◆ Confidential Record of Formal Complaint
- ◆ Confidential Record of Child Abuse Allegation
- ◆ Record of Mediation
- ◆ Record of Tribunal Decision

GENERAL PRINCIPLES

The following principles are to be followed when completing a report of a complaint:

1. Treat all complaints seriously;
2. Deal with complaints promptly, sensitively and confidentially;
3. Maintain a calm attitude;
4. Ask the complainant if they will consent to you taking notes;
5. Write the description of the complaint /problem using the complainants own words (as much as is possible).



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CONFIDENTIAL RECORD OF FORMAL COMPLAINT

To be used when a formal complaint is received by Queensland Athletics.

MPIOs/CEOs Name:

Complainant's Name:

Date: / / Age:

Role/Status in Athletics:	..... Administrator (volunteer)	..... Support Personnel
	..... Athlete	..... Coach
	..... Employee (paid)	..... Official
	..... Other	

Name of person complained about:

Role/Status in Athletics:	..... Administrator (volunteer)	..... Support Personnel
	..... Athlete	..... Coach
	..... Employee (paid)	..... Official
	..... Other	

Location/event of Alleged issue:

Facts as stated by Complainant:

Nature of Complaint (can tick more than one):

..... Harassment or discrimination	..... Sexual/sexist
..... Selection Dispute	..... Sexuality
..... Personality Clash	..... Race
..... Bullying	..... Religion
..... Verbal Abuse	..... Pregnancy
..... Physical Abuse	..... Disability
..... Victimisation	..... Child Abuse
..... Other	

Method (if any) of attempted informal resolution:

.....
.....
.....

Support Person (if any):

Formal resolution procedures followed (outline):

.....
.....
.....

If investigated - Finding:

If went to hearing tribunal – Decision:

Action recommended – If mediated:

Date of mediation: / /

Were both parties present:

Terms of agreement:

Any other action taken:

If went to appeals tribunal – Decision:

Action recommended:

Resolution: Less than 3 months to resolve Between 3 – 8 months to resolve
..... More than 8 months to resolve

Completed by: Name:
Position in Queensland Athletics:
Signed:

Complainant’s signature:

Respondent’s signature:



MEMBER PROTECTION POLICY

CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

To be used by MPIOs or others who receive complaints/allegations of child abuse

Complainant's Name (if other than the child):

Date formal complaint received:...../...../.....

Role/status in athletics (e.g. coach, athlete etc):

Child's details - Name:

Age:.....

Address:.....

Person's reason for suspecting abuse:.....

Name of person the complaint is against:.....

Role/status in athletics of the person the complaint is against:.....

Witness' details: Name: Contact number:.....

Name: Contact number:.....

Name: Contact number:.....

Interim action (if any) taken to ensure child's safety and/or to support needs of person complained about:.....

.....
.....
.....
.....

Police Contact details: Crime report number:.....

Who:.....

When:.....

Advice provided:.....

Government Agency Contact details: Crime report number:.....

Who:.....

When:.....

Advice provided:.....

CEO contacted: Who:.....

When:.....



MEMBER PROTECTION POLICY

Police and/or government agency investigation findings:

.....

.....

.....

Internal investigation findings (if any):

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.....

.....

Action taken:

.....

.....

.....

Completed by: Position in the company:

 Signature:

 Date:

Signature of complainant (if over 18 years old):