

PONY CLUB

Australia Ltd



Member Protection Policy

Version: PCAMMP1408-7

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**REVIEW HISTORY OF PONY CLUB AUSTRALIA LTD,
MEMBER PROTECTION POLICY**

Version no.	Date Reviewed	Date endorsed	Content reviewed/purpose
PCAMPP0405-1	Created 2004	2004	<ul style="list-style-type: none">• Nil
PCAMPP0911-2	NOV 2009		<ul style="list-style-type: none">• Nil
PCAMPP1105-3	MAY2011		<ul style="list-style-type: none">• Nil
PCAMPP1205-4	MAY2012		<ul style="list-style-type: none">• 6.7 Alcohol Policy• 6.8 Smoking Policy• 6.9 Cyber Bullying/Safety• 6.10 Social Networking Policy• 6.11 Bullying, Victimization and Intimidation• 6.12 Other Relevant Policies/Position Statements
PCAMPP1305-5	MAY2013		<ul style="list-style-type: none">• Nil
PCAMPP1401-6	JAN2014		<ul style="list-style-type: none">• ASC Update
PCAMPP1408-7	AUG2014		<ul style="list-style-type: none">• Aligned with the new Constitution and status as Company Limited by Guarantee



PREFACE

- Pony Club Australia Ltd. is committed to providing an environment that is safe for children and is free from harassment, discrimination and abuse for everyone, and promotes respectful and positive behaviour and values.
- This policy provides a code of behaviour forming the basis of appropriate and ethical conduct which everyone must abide by.
- The Board of Pony Club Australia Ltd. is committed to ensuring that everyone associated with the organisation complies with the policy.
- The abbreviation PCA used in this document refers to Pony Club Australia Ltd.

Signed: Date:

Chair on behalf of the Pony Club Australia Ltd Board



PART A: NATIONAL MEMBER PROTECTION POLICY

1. Introduction

- 1.1 The objectives of Pony Club Australia Ltd (PCA) are:
- 1.2 To encourage young people to ride and to learn to enjoy all kinds of sport connected with horses and riding.
- 1.3 To provide coaching in riding and horsemastership and to instil in members the proper care of their horses.
- 1.4 To promote the highest ideals of sportsmanship, citizenship and loyalty, there by cultivating strength of character and self-discipline.

2. Purpose of this policy

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

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

This policy has been endorsed by the PCA Board. The policy starts on 17th August, 2014 and will operate until replaced.

The current policy and its attachments can be obtained from our website at:
www.ponyclubaustralia.com.au.

This policy is supported by Member Protection Policies that have been adopted and implemented by our member associations and affiliated clubs.

3. Who this policy applies to

This national policy applies to the following people operating at or representing the PCA at a national or international level, whether they are in a paid or unpaid/voluntary capacity:

- 3.1 Persons appointed or elected to national or international boards, committees and sub-committees;
- 3.2 Employees of PCA;
- 3.3 Members of the PCA Board
- 3.4 Support personnel appointed or elected to national or international teams and squads (e.g. managers, chaperones and or coaches);
- 3.5 National or international rider representatives;
- 3.6 National judges, stewards and other officials involved in the regulation of our sport;
- 3.7 Members, including life members of the PCA;
- 3.8 Riders, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by PCA; and
- 3.9 Any other person including parents/guardians and spectators accompanying the rider/riders or team(s).



- 3.10 This policy also applies to Member associations;
- 3.10.a. Member associations are required to adopt and implement this policy and to provide proof to the PCA of approval of the policy by the relevant board in accordance with its constitution. Member associations must also undertake to ensure that affiliated Clubs and individual Members are bound by this policy and are made aware of this policy and what it says.
 - 3.10.b. This policy will continue to apply to a person even after they have ceased their association or employment with the PCA, if disciplinary action against that person has commenced.

4. Organisational responsibilities

The PCA member associations must:

- 4.1 Adopt, implement and comply with this policy;
 - 4.1.a. Make such amendments to their Constitution, Rules or Policies necessary for this policy to be enforceable;
 - 4.1.b. Publish, distribute and promote this policy and the consequences of breaches;
 - 4.1.c. Promote and model appropriate standards of behaviour at all times;
 - 4.1.d. Promptly deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner;
- 4.2 Apply this policy consistently;
 - 4.2.a. Recognise and enforce any penalty imposed under this policy;
 - 4.2.b. Ensure that a copy of this policy is available or accessible to the persons and associations to whom this policy applies;
 - 4.2.c. Use appropriately trained people to receive and manage complaints and allegations, e.g. Member Protection Information Officers;
 - 4.2.d. Monitor and review this policy at least annually.

5. Individual Responsibilities

Individuals bound by this policy are responsible for:

- 5.1 Making themselves aware of the policy and complying with its standards of behaviour;
- 5.2 Complying with our screening requirements and any State/Territory Working with Children checks;
- 5.3 Placing the safety and welfare of children above other considerations;
- 5.4 Being accountable for their behaviour;
- 5.5 Following the procedures outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour; and
- 5.6 Complying with any decisions and/or disciplinary measures imposed under this policy.



6. Position Statements

6.1 Child protection

PCA is committed to the safety and well-being of all children and young people who participate in our sport or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained. We acknowledge the valuable contribution made by our staff, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

6.1.a. Identify and analyse risk of harm

We will develop and implement a risk management strategy, including a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the actions of an employee, volunteer or another person.

6.1.b. Develop codes of behaviour

We will develop and promote a code of behaviour that sets out the conduct we expect of adults when they deal and interact with children involved in our sport, especially those in our care. We will also implement a code of behaviour to promote appropriate conduct between children. These codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour. (Refer to the attachments in Part B of this policy.)

6.1.c. Choose suitable employees and volunteers

We will take all reasonable steps to ensure that our organisation engages suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This will include using a range of screening measures. We will ensure that Working with Children Checks are conducted for all employees and volunteers who work with children, where an assessment is required by law. If a criminal history report is obtained as part of their screening process, we will handle this information confidentially and in accordance with the relevant legal requirements. (Refer to the attachments in Part C of this policy.)

6.1.d. Support, train, supervise and enhance performance

We will ensure that all our employees and volunteers who work with children have ongoing supervision, support and training. Our goal is develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment.

6.1.e. Empower and promote the participation of children

We will encourage children and young people to be involved in developing and maintaining a child-safe environment for our sport.

6.1.f. Report and respond appropriately to suspected abuse and neglect

We will ensure that all our employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable grounds that a child has been, or is being, abused or neglected. (Refer to the attachments in Part E of this policy.) Further, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child, or is in breach of this policy, he or she may make an internal complaint. (Refer to the attachments in Part D of this policy.)



6.2 Taking Images of Children

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

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets.

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

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

6.3 Anti-Discrimination and Harassment

PCA aims to provide an environment where all those involved in our activities and events are treated with respect. We recognise that people cannot participate, enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

We prohibit all forms of harassment, discrimination and bullying based on the personal characteristics listed in the "Definitions" set out in our Dictionary of Terms. In most circumstances, this behaviour is against the law.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, they may make an internal complaint. In some circumstances, they may also be able to make a complaint to an external organisation. (Refer to the attachments in Part D of this policy.)

6.4 Sexual Relationships

PCA takes the position that sexual relationships between coaches and the adult riders that they coach should be avoided as these relationships can have harmful effects on the individual rider involved, on other riders and coaches, and on the sport's public image. Such relationships may be intentionally or unintentionally exploitative due to a disparity between coaches and riders in terms of authority, power, maturity, status, influence and dependence.

Should a sexual relationship exist between a rider and a coach, PCA will consider whether any action is necessary. Factors that may be relevant in this consideration are the age and maturity of the rider relative to the coach, the financial or emotional dependence of the rider on the coach, and the likelihood of the relationship having any adverse impact on the rider and/or other riders. If it's determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the rider. Action may include dismissal from coaching duties.

In the event that a rider attempts to initiate an intimate sexual relationship, the coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such action. The coach or rider may wish to approach the PCA's MPIO or other designated person if they feel harassed. Our complaints procedure is outlined in Attachment [D1] of this policy.



6.5 Pregnancy

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in our sport should be removed. We will not tolerate any discrimination or harassment against pregnant women.

PCA will take reasonable care to ensure the safety, health and well-being of pregnant women and their unborn children. We will advise pregnant women that there may be risks involved and encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and well-being, and that of their unborn children, are of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. We will only require pregnant women to sign a disclaimer if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

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

6.6 Gender Identity

PCA is committed to providing a safe, fair and inclusive sporting environment where people of all backgrounds can contribute and participate. People who identify as transgender or transsexual should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition.

We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender or transsexual. If a transgender or transsexual person feels he or she has been harassed or discriminated against by another person or organisation bound by this policy, he or she may make a complaint. (Refer to the attachments in Part D of this policy.)

PCA recognises that excluding transgender and transsexual people from participating in sporting events and activities has significant implications for their health, well-being and involvement in community life. In general, we will support their participation in our sport on the basis of the gender with which they identify.

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

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

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

6.7 Alcohol Policy

PCA recommends that State Associations and their member Clubs adhere to strict guidelines regarding the responsible consumption of alcohol. Generally, alcohol should not be available nor be consumed at a sporting event at which children under 18 are participants in the sport. Responsible service and consumption of alcohol should apply to any alcohol to be consumed



after the competition has concluded, including light alcohol and soft drinks always being available; wherever possible, food being available to be consumed when alcohol is available; transport policies, and Board/Committee Members being in attendance to ensure appropriate practices are followed. Guidance can be obtained from the “Alcohol Management Policy” see www.ponyclubaustralia.com.au

6.8 Smoking Free Environment Policy

PCA recommends that the following policies be applied to sporting and social events that we hold or endorse:

- 6.8.a. No smoking shall occur at or near any sporting events involving children and young people under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers;
- 6.8.b. Social events shall be smoke free, with smoking permitted at designated outdoor
- 6.8.c. smoking areas;
- 6.8.d. Coaches, officials, trainers, volunteers and players will refrain from smoking and remain smoke free while involved in an official capacity in our sport, both on and off the field.

6.9 Cyber-Bullying

PCA regards bullying and harassment in all forms as unacceptable in our sport. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments.

PCA will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. In some cases, bullying is a criminal offence punishable.

Frustration at a referee, teammate, coach or sporting body should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club, league or peak sporting body.

6.10 Social Networking Websites Policy

PCA acknowledges the enormous value of social networking websites, such as Facebook and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport. Social media postings, blogs, status updates and tweets:

- 6.10.a. must not use offensive, provocative or hateful language
- 6.10.b. must not be misleading, false or injure the reputation of another person
- 6.10.c. should respect and maintain the privacy of others
- 6.10.d. should promote the sport in a positive way.

Guidance can be obtained from www.ponyclubaustralia.com.au

6.11 Bullying, Victimisation and Intimidation policy

Bullying, Victimisation and Intimidation are all forms of Harassment. It is not right, it is not fair and it is against the principles of Pony Club where we expect people to be treated with respect. Everyone in Pony Club has the right to a fair and safe environment where they are valued and treated with respect whilst performing their particular role or partaking in Pony Club activities.



Pony Club Australia and each State and Territory Association has an obligation to do everything possible to ensure that all people involved in Pony Club activities as a rider, member, official, coach, administrator, committee member, club/zone/state delegate, and parent, volunteer, in fact everyone is treated with RESPECT.

Respect means without bullying, victimization, intimidation, discrimination or harassment. This kind of behaviour is unacceptable, it can compromise health and safety and it can damage the reputation of Pony Club with the community. Such behaviour is in breach of the Pony Club Member Protection Policy and Codes of Conduct and could be illegal.

6.11.a. **Bullying, Victimization and Intimidation are all forms of Harassment.**

“If a reasonable person having regard to all the circumstances, could anticipate that their behaviour might cause another person to feel offended, humiliated, intimidated, insulted, frightened or ridiculed, they should not engage in that behaviour”.

6.11.b. **What is bullying:**

Bullying denies people respect, it can cause a person to be offended, humiliated, intimidated, frightened, insulted or ridiculed. Bullying can cause harm to the individual(s) directly involved and it may also create an environment that is unproductive and unpleasant for others. Bullying may be unintentional but if it causes a person to feel uncomfortable or powerless or the behaviour interferes with their ability to perform their duty or to ride to the best of their ability then the harassment is real.

6.11.c. **Bullying includes a range of behaviours:**

For example, people working in a committee situation where one or two members wish to put a point forward are howled down by other committee members ridiculing them not really listening to their case and as a result the two minority members feel humiliated, insulted and ridiculed and are unable to get a fair hearing. Frequently this kind of behaviour results in members refusing to work on a committee and/or Pony Club losing good support personnel and riding members.

Bullying may be a subtle process of isolating a person or withholding information or it may be more overt.

For example, the consistent use of ‘put downs’ or the use of derogatory ‘nicknames’ may also constitute bullying.

6.11.d. **What is Intimidation?**

Intimidation includes the intentional or unintentional use of formal or informal power by inappropriately forcing a person or persons to do, or not to do something.

For example: An official telling club members, for no valid reason, that if they participate in a competition run by another club they will not be considered for selection to represent their own club in State competition.

Intimidation also includes behaviour that may be subtly manipulative or insulting, through actions that are verbally or physically threatening and abusive inducing a feeling of humiliation in that person.

For example: The use of foul language used repeatedly and or loudly when giving instructions.

Clear and proper direction, advice and/or opinion given in a respectful manner by a person in their official capacity or as constructive feedback does not constitute bullying, intimidation or harassment.



6.11.e. What is Victimisation?

Victimisation is a form of intimidation. Victimisation commonly takes the form of treating, or threatening to treat someone differently on the basis of an action they have legitimately taken, or indicated that they intend to take, such as making a complaint or giving evidence.

6.11.f. Summary of the Grievance Process:

Minor Grievances are usually investigated and handled at club level on an informal basis, however an informal note must be made because if the accused harasser is accused of repeated inappropriate behaviour not necessarily by the same person and following an investigation the harassment is considered to be real then formal action must be taken in the form of written advice that the behaviour must not reoccur or disciplinary action in accordance with the Club, Zone or State Constitution (depending on what level the grievance is being investigated) may be taken.

If the issue is at Club level then the DC, President or a MPIO have a responsibility to help you deal with the issue if you feel you are unable to do it yourself.

If the club feels they are unable to investigate and deal with the grievance or you are not satisfied with the outcome of club's findings or lack of action taken by the Club then the Zone can be asked to assist in consultation with a MPIO. If the grievance is forwarded to the Zone then the grievance should be considered as formal and be made in writing. If the grievance is at Zone level then the Zone Visiting Commissioner or head of the Zone has a responsibility to do (or arrange for) an investigation and deal with the grievance.

If the Zone is unable to investigate and deal with the grievance or you are not satisfied with the outcome of Zone's findings or lack of action then the grievance can be forwarded to State level.

If it goes to State level then the State President or head of the state organisation has a responsibility to do (or arrange for) an investigation and deal with the grievance.

If the State is unable to investigate and deal with the grievance or you are not satisfied with the outcome of the State's findings or lack of action then and you believe the case needs to be brought to the attention of the National body then the grievance can be forwarded to the Pony Club Australia (PCA) Disciplinary Committee.



7. Complaints Procedures

7.1 Handling complaints

PCA aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of natural justice.

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

In the first instance, complaints should be reported to the Member Protection Information Officer OR other senior official in the organisation.

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

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

7.1.b. Club level, or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.

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

A complaint may be handled informally or formally. The complainant will usually indicate his or her preferred option unless the Member Protection Information Officer OR other senior official in the organisation, considers that the complaint falls outside this policy and should be handled another way. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our procedures for handling and resolving complaints are outlined in Attachment [D1]. Individuals and organisations may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

7.2 Improper Complaints & Victimisation

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

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

If at any point in the complaint handling process the MPIO or the PCA Disciplinary Committee considers that a complainant has knowingly made an untrue complaint or the complaint is malicious or intended to cause distress to the respondent, the matter may be referred to the PCA Board for appropriate action which may include disciplinary action against the complainant.

7.3 Mediation

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

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

7.3.c. If a complainant wishes to resolve the complaint with the help of a mediator, the Member Protection Information Officer, will, in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to negotiate on behalf of the complainant and/or the respondent.



7.3.d. More information on the mediation process is outlined in Attachment [D2].

7.4 Tribunals

Should a formal complaint be made the Tribunal will be the PCA Board and the complaint will be heard in accordance with procedures described in the Grievance Resolution Policy (section 7 of the Constitution of the PCA).

The PCA Board decision is final and every organisation bound by this policy will recognise and enforce any decision of the PCA Board

8. What is a Breach of this policy?

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

- 8.1 Breaching the Codes of Behaviour (attachment B to this policy);
- 8.2 Bringing the sport and/or the PCA into disrepute, or acting in a manner likely to bring the sport and/or the PCA into disrepute;
- 8.3 Failing to follow PCA policies (including this policy) and procedures for the protection, safety and welfare of children;
- 8.4 Discriminating against, harassing or bullying (including cyber bullying) any person;
- 8.5 Victimising another person for reporting a complaint;
- 8.6 Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- 8.7 Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 8.8 Disclosing to any unauthorized person or organisation any PCA information that is of a private, confidential or privileged nature;
- 8.9 Making a complaint they knew to be untrue, vexatious, malicious or improper;
- 8.10 Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; or
- 8.11 Failing to comply with a direction given to the individual or organisation during the discipline process.

9. Disciplinary Measures

PCA may impose disciplinary measures on an individual or organisation for a breach of this policy. Any disciplinary measure imposed will be:

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

9.1 Individual

Subject to contractual and employment requirements, if a finding are made by a Tribunal (the PCA Board) that an individual has breached this policy; one or more of the following forms of discipline may be imposed:

- 9.1.a. A direction that the individual make a verbal and/or written apology;
- 9.1.b. A written warning;
- 9.1.c. A direction that the individual attend counselling to address their behaviour;



- 9.1.d. A withdrawal of any awards, placing, records, and achievements bestowed in any tournaments, activities or events held or sanctioned by the PCA;
- 9.1.e. A suspension of the individual's membership or participation or engagement in a role or activity;
- 9.1.f. Termination of the individual's membership, appointment or engagement;
- 9.1.g. A recommendation that the PCA terminate the individual's membership, appointment or engagement;
- 9.1.h. 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;
- 9.1.i. a fine;
- 9.1.j. any other form of discipline that the designated person or committee considers appropriate.

9.2 Organisation

If a finding is made that a PCA member or affiliated organisation has breached its own or this national Member Protection Policy, one or more of the following forms of discipline may be imposed by the PCA Board:

- 9.2.a. A written warning;
- 9.2.b. A fine;
- 9.2.c. 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;
- 9.2.d. A direction that any funding granted or given to it by the PCA cease from a specified date;
- 9.2.e. The PCA will cease to sanction events held by or under the auspices of that organisation;
- 9.2.f. A recommendation to the association that its membership of the peak association be suspended or terminated in accordance with the relevant constitution or rules; and/or
- 9.2.g. Any other form of discipline that the national body or peak organisation considers being reasonable and appropriate.

9.3 Factors to consider

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

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



10. Dictionary of terms

This Dictionary sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. 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 any club affiliated with the relevant state body.

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

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

- Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity).
- 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).
- 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).
- 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).

Complaint means a complaint made under clause 7.

Complainant means a person making a complaint.

Complaint Handler/Manager means a person appointed under this policy to investigate a Complaint

Discrimination means treating or proposing to treat someone less favourably because of a particular characteristic in the same or similar circumstances in certain areas of public life (Direct Discrimination), or imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics (Indirect Discrimination). The characteristics covered by discrimination law across Australia are:

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



- Social origin;
- Trade union membership/activity.

(Some States and Territories include additional characteristics such as physical features or association with a person with one or more of the characteristics listed above).

Examples of Discrimination

- **Age:** A club refuses to allow an older person to coach a team simply because of age.
- **Breastfeeding:** A member of the club who is breastfeeding a baby in the club rooms is asked to leave.
- **Disability:** A junior player is overlooked because of mild epilepsy.
- **Family responsibilities:** A club decides not to promote an employee because he has a child with a disability even though the employee is the best person for the job.
- **Gender Identity:** A transgender contract worker is harassed when employees refuse to call her by her female name.
- **Homosexuality:** An athlete is ostracized from her team after it becomes known that she is a lesbian.
- **Marital Status:** A player is deliberately excluded from team activities and social functions because she is single
- **Pregnancy:** A woman is dropped from a team when she becomes pregnant.
- **Race:** An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.

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

Unlawful harassment is sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some other characteristic (see characteristic list under discrimination).

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is if someone else finds it harassing then it could be harassment.

Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal.

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

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

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

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

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



Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify on other grounds

Member means a registered member of the association.

Member Protection Information Officer (MPIO) means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy.

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

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

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

This policy means this Member Protection Policy.

Respondent means the person who is being complained about.

Role-specific codes of conduct (or behaviour) 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 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.

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):

- Rape
- Indecent assault
- Sexual assault
- Assault with intent to have sexual intercourse
- Incest
- Sexual penetration of child under the age of 16
- Indecent act with child under the age of 16
- Sexual relationship with child under the age of 16
- Sexual offences against people with impaired mental functioning
- Abduction and detention
- Procuring sexual penetration by threats or fraud
- Procuring sexual penetration of child under the age of 16
- Bestiality
- Soliciting acts of sexual penetration or indecent acts
- Promoting or engaging in acts of child prostitution
- Obtaining benefits from child prostitution
- Possession of child pornography



- Publishing child pornography and indecent articles.

Transgender is a general term applied to individuals and behaviours that differ from the gender Role commonly, but not always, assigned at birth. It does not imply any specific form of sexual orientation.

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 such a person.

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



PART B: CODES OF BEHAVIOUR

**NATIONAL/INTERNATIONAL RIDER, COACH & MANAGER
CODE OF CONDUCT**

PREAMBLE

The prime objective of National and International Competitions is the meeting, exchange of views and better understanding between Pony Club members from Countries taking part and the broadening of the scope of the Pony Club movement. Good sportsmanship, team spirit and the ability to cheerfully participate in all activities planned by the host Country or the host family is of paramount importance when representing the Pony Club of Australia Ltd

- All riders, coaches and managers representing Pony Club Australia Ltd. (PCA) in Australia or overseas must comply with PCA Policies including the Member Protection Policy, the Anti-Doping Policy and the attached Alcohol and Smoking Policies for International riders, coaches and managers.
- Disciplinary action may be taken against a person who is found in breach of any of the Policies and or Codes of Conduct may also result in disqualification of the individual rider or the team.

Signed: Date:

Pony Club Australia Ltd Chair

Date of Issue: March 2009
 Date of Review: May 2012
 Date of Review: May 2013
 Date of Review: January 2014
 Date of Review: August 2014



NATIONAL/INTERNATIONAL RIDER, COACH & MANAGER STATEMENT OF COMPLIANCE

This document is to be read and signed by every rider, coach and manager selected to represent the PCA in or at an International or National event.

Please sign this two page document and return to the PCA National Office.

I, (print name), as a representative, of the PCA at an International/ National event, acknowledge that I have read and understand the attached Code of Conduct and undertake to comply with the requirements contained in this document.

Signed: Date:

SIGNATURE OF RIDER

.....

Name of Parent or Guardian

Signed: Date:.....

SIGNATURE OF PARENT/GUARDIAN (if rider is under 18)

As from 22nd March 2009, any member representing the PCA having been found NOT to have upheld the 'Aims and Objectives' of Pony Club or to have been in breach of the PCA 'Code of Conduct', will NOT be considered for selection in future International/National Events .

Date of Issue: March 2009
Date of Review: May 2012
Date of Review: May 2013
Date of Review: January 2014
Date of Review: August 2014



NATIONAL/INTERNATIONAL RIDER, COACH & MANAGER CODE OF CONDUCT FOR ALL MEMBERS

Members should be aware of the aims and objectives of Pony Club in Australia, these are:

- To encourage young people to ride and learn to enjoy all approved kinds of sport connected with horses and riding;
- To provide instruction in riding and horsemanship and to instill in members the proper care of their animals; and
- To promote the highest ideals of fellowship, citizenship and loyalty, and to cultivate strength of character and self-discipline

Members should also be aware that:

- Pony Club is a youth movement and has always maintained a high standard of behaviour and presentation;
- when representing Pony Club in any shape or form, their behaviour must never compromise, bring into disrepute or embarrass the Pony Club Association;
- they are ambassadors of the PCA and their actions will reflect upon everyone, including members or teams representing the PCA in future International and or National events; and
- they should be proud of their involvement in the Pony Club movement and in their Pony Club uniform.

Date of Issue: March 2009
Date of Review: May 2012
Date of Review: May 2013
Date of Review: January 2014
Date of Review: August 2014



NATIONAL/INTERNATIONAL RIDER, COACH & MANAGER CODE OF CONDUCT FOR RIDERS

Riders come under the supervision of the Coach and Manager from the time they leave their home state until they return, during this time riders are expected to behave appropriately at all times and to obey instructions and or directions given by either the Coach or Manager.

- Ride by the rules.
- Never argue with an official. If you disagree, have your Team Manager approach the official during a break or after the competition.
- Control your temper. Verbal abuse of officials and sledging other players, deliberately distracting or provoking an opponent are not acceptable or permitted behaviours in any sport.
- The use of bad or abusive language may entail disqualification from any event.

Work equally hard for yourself and/or your team. Your team's performance will benefit so will you:

- treat all participants in your sport as you like to be treated. Do not bully or take unfair advantage of another competitor.
- cooperate with your coach, team-mates and opponents.
- respect the rights, dignity and worth of all participants regardless of their gender, ability, cultural background or religion.

A high standard of behaviour is essential and specifically includes:

- compliance with PCA policies; the Member Protection Policy, Alcohol Policy, Anti

Doping Policy and Smoke Free Policy;

- no use or possession of recreational or illicit drugs;
- no sexual liaisons, physical aggression or assault;
- no theft or vandalising of facilities or property;
- no leaving a billet or group without permission;
- no cruel actions or abuse of horses;
- the official uniform is to be worn when representing PCA and at all times as directed by the Coach or Manager ;
- no rider is to be a passenger in a vehicle driven by a person under 18 years of age.
- Should a rider experience any difficulties while staying with a host family, it is important that they advise their Coach or Manager immediately.
- Failure by a rider to comply with the above Code of Conduct may result in him/her being dismissed from the team and required to return to their home state immediately.
- Parents, Guardians or Riders aged 18yrs and over, will be responsible for any additional costs incurred should a rider be required to return home prior to the scheduled departure date.

Date of Issue: March 2009
Date of Review: May 2012
Date of Review: May 2013
Date of Review: January 2014
Date of Review: August 2014



NATIONAL/INTERNATIONAL RIDER, COACH & MANAGER CODE OF CONDUCT FOR OFFICIALS

A Coach and or Manager of riders representing PCA at National or International events must exercise their duty of care in being responsible for the safety, health and well-being of riders under their supervision from the time they leave their home state until they return. During this time riders are expected to behave appropriately and to obey instructions and or directions given by the Coach or, Manager.

- Be consistent, objective and courteous when making decisions. Remember, you set an example. Your behaviour and comments should be positive and supportive.
- Ensure riders comply with the Code of Conduct for riders.
- Condemn unsporting behaviour and promote respect for all opponents. Emphasis the spirit of the game rather than the errors.
- Be a good sport yourself. Actions speak louder than words.
- Keep up to date with the rules of the competition.
- Place the safety and welfare of the riders above all else.
- Give all riders a 'fair go' regardless of their gender, ability, cultural background or religion.
- A high standard of behaviour is essential and specifically includes:
 - compliance with PCA policies; the Member Protection Policy, Alcohol Policy, Anti-Doping Policy and Smoke Free Policy;
 - no use or possession of recreational or illicit drugs;
 - no sexual liaisons, physical aggression or assault;
 - no theft or vandalising of facilities or property; and
 - the official uniform is to be worn when representing PCA and at all times as appropriate.

Date of Issue: March 2009
Date of Review: May 2012
Date of Review: May 2013
Date of Review: January 2014
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PARENT/GUARDIAN'S CODE OF CONDUCT

- Remember that children participate in sport for their enjoyment.
- Encourage children to participate, do not force them.
- Focus on the child's efforts and performance rather than winning or losing.
- Encourage children always to play according to the rules and settle disagreements without resorting to hostility or violence.
- Never ridicule or yell at a child for making a mistake or losing a competition.
- Remember that children learn by best example. Appreciate good performances and skilful plays by all participants.
- Support all efforts to remove verbal and physical abuse from sporting activities.
- Respect event officials' decisions and teach children to do likewise.
- Show appreciation for volunteer coaches, officials and administrators. Without them, your child could not participate. Please also note that for the entirety of the Tour, Team Officials appointed by the PCA and/or State are the sole arbitrators of the Team and Members
- Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

Date of Issue: March 2009
Date of Review: May 2012
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ADMINISTRATOR'S CODE OF BEHAVIOUR

Involve young people in planning, leadership, evaluation and decision making related to the activity.

- Give all young people equal opportunities to participate.
- Create pathways for young people to participate in sport not just as a player but also as a coach, referee, administrator etc.
- Ensure that rules, equipment, length of games and training schedules are modified to suit the age, ability and maturity level of young players.
- Provide quality supervision and instruction for junior players.
- Remember that young people participate for their enjoyment and benefit. Do not over emphasise awards.
- Help coaches and officials highlight appropriate behaviour and skill development, and help improve the standards of coaching and officiating.
- Ensure that everyone involved in junior sport emphasises fair play, and not winning at all costs.
- Give a code of behaviour sheet to spectators, officials, parents, coaches, players and the media, and encourage them to follow it.
- Remember, you set an example. Your behaviour and comments should be positive and supportive.
- Support implementation of the National Junior Sport Policy.
- Make it clear that abusing young people in any way is unacceptable and will result in disciplinary action.
- Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

Date of Issue: March 2009
Date of Review: May 2012
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SPECTATOR'S CODE OF BEHAVIOUR

- Respect the decisions of officials and teach young people to do the same.
- Never ridicule or scold a young rider for making a mistake. Positive comments are motivational.
- Condemn the use of violence in any form, whether it is by other spectators, coaches, officials or riders.
- Show respect for your team's opponents. Without them there would be no competition.
- Do not use violence, harassment or abuse in any form (that is, do not use foul language, sledge or harass riders, coaches, officials or other spectators)
- Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

Date of Issue: March 2009
Date of Review: May 2012
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PART C: SCREENING/WORKING WITH CHILDREN CHECK REQUIREMENTS

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

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

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

Pony Club Australia Inc., including our state associations and clubs, will meet the requirements of the relevant state or territory Working with Children Check laws.

Employment screening requirements will also be followed in the Australian Capital Territory and Tasmania. Individuals travelling with children and young people to another state or territory in a work-related capacity must comply with the screening requirements of that particular state or territory.

ATTACHMENTS

- Attachment C1: Screening requirements (for the Australian Capital Territory and Tasmania)
- Attachment C2: Member Protection Declaration
- Attachment C3: Working with Children Check requirements



ATTACHMENT C1: SCREENING REQUIREMENTS

[For states/territories without Working with Children Checks such as ACT and Tasmania]

This attachment sets out the screening process for people in the PCA who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years.

The PCA will, and also requires state associations and clubs to:

- Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
- Obtain a completed Member Protection Declaration (MPD) (Attachment C2) from all people who are identified in the above step and keep it in a secure place.
- Provide an opportunity for a person to give an explanation if a MPD isn't provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD. We will then make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
- Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
- Ask the people identified in step 1 to sign a consent form for a national police check.
- Possibly request (or ask the person to request) a national 'Part Exclusion' police check from our relevant police jurisdiction. This check excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we will 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. If unsatisfied we will not appoint them to the role/position.
- Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person does not agree to a national police check after explaining why it is a requirement under our policy. If unsatisfied, we will not appoint them.
- Decide whether to offer the person the position taking into account the result of the police check and any other information the club has available to it. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
- Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
- Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period, unless within that time the person requests that the documents be returned to them. For appointed persons, information will be kept on file in a secure location.



ATTACHMENT C2: MEMBER PROTECTION DECLARATION

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

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

sincerely declare:

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

Declared in the State/Territory of

Signature on(date)

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

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

Name:

Signature: Date:



ATTACHMENT C3: WORKING WITH CHILDREN CHILD PROTECTION

REQUIREMENTS

The following information is subject to change at any time. Please check with your State body for current information.

QUEENSLAND

A person will need a Working with Children Check (“WWC Check”), also known as a blue card, if they propose to work in a paid or voluntary capacity or to carry on a business in a child-related area regulated by the Commission for Children and Young People and Child Guardian Act 2000.

For information on the blue card, including current forms:

- Visit: www.ccypcg.qld.gov.au or
- Call: 1800 113 611

NEW SOUTH WALES

The Child Protection (Working with Children) Act 2012 provides minimum standards for those who work with children. All organisations within NSW (including sporting groups) that employ people in child-related employment (in a paid or volunteer / unpaid capacity) must meet the requirements of the Working With Children Check (“WWC Check”) Child related employment is defined as work which primarily involves direct unsupervised contact with children.

Volunteers will be phased in under the new process during 2015, and volunteers will need to firstly check to see if they require the check via the quick quiz on the Office of Children’s Guardian website www.kids.nsw.gov.au. Not all Pony Club NSW volunteers will be required to have a WWC check.

People not eligible for the WWC checks should complete the PCA NSW WWC volunteer declaration (declarations can be found on the PCA NSW website) and can apply for a National Police Check through NSW Police (visit :www.police.nsw.gov.au/).

For information, including the required forms:

- Visit: www.kids.nsw.gov.au
- www.dsr.nsw.gov.au/children/resources.asp or 02 9006 3700
- www.check.kids.nsw.gov.au/; or
- Call: 02 9286 7219

VICTORIA

The Working With Children Check (“WWC Check”) creates a mandatory minimum checking standard across Victoria. The Working with Children Act 2005 requires that some people who work or volunteer in child-related work require a WWC Check.

The check involves a national police records check and a review of relevant findings from prescribed professional disciplinary bodies (currently only the Victorian Institute of Teaching). There is an exemption for volunteers whose own children are involved in the particular activity; however they should still be required to complete the screening process.

Card holders do not need to apply for a new WWC Check Card when they change their employer or volunteer organisation, unless they are moving from volunteer status to paid work status. People under 18 years of age do not require a WWC Check Card.

Police Checks can also be obtained via Victoria Police at <http://www.police.vic.gov.au/>

For more information:

- Visit: www.justice.vic.gov.au/workingwithchildren; or
- Call: 1300 652 879



TASMANIA

The Working With Children Check (“WWC Check”) creates a mandatory minimum checking standard across Tasmania.

Working with Children applies to paid workers, volunteers, self-employed people, child care service providers, and adults who reside at the home where a home-based child care service is provided. The Working with Children Registration is valid for three years.

For more information including forms and fees:

- Visit: www.justice.tas.gov.au/working_with_children or
- Call: 1300 135 513

SOUTH AUSTRALIA

In South Australia the requirement is to conduct criminal history assessments for people working with Children.

The obligation to conduct the Criminal History Assessment rests with the organisation providing the service. PCASA who provide services wholly or partly for children in South Australia therefore must comply with this requirement, so must include these requirements in their MPP documentation

The PCASA may conduct a criminal history assessment themselves or apply to a third party (such as the state sporting body for an assessment and letter of clearance).

Assessments required for prescribed positions

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

Criminal history assessments are also required prior to the appointment of new staff or volunteers to prescribed positions.

This includes all people who regularly work with or around children in an unsupervised capacity or have access to children’s records.

South Australia Police require the explicit written consent of the applicant prior to the release of criminal history information. The National Police Certificate (NPC) application form is available from

http://www.police.sa.gov.au/sapol/services/information_requests/national_police_certificate.jsp

On receipt of the NPC the applicant must present the letter for viewing and recording to PCASA

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

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

<http://www.dcsi.sa.gov.au/pub/Default.aspx?tabid=281>

For more information, visit:

- <http://www.dcsi.sa.gov.au/pub/Default.aspx?tabid=281>
- <http://www.recsport.sa.gov.au>



WESTERN AUSTRALIA

The Working With Children Check (“WWC Check”) is a compulsory and rigorous criminal record check for certain people who carry out ‘child-related work’ in Western Australia (WA). The Working with Children (Criminal Record Checking) Act 2004 (the Act) aims to protect children from harm by providing a high standard of compulsory national criminal record check for people wishing to work in paid or unpaid child-related work or volunteer child-related work in WA.

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

Only those considered to be working in child-related work under the Act may apply.

Additionally, WWC Checks are only concerned with child-related offences, therefore employers may require that employees or volunteers obtain both a WWC Check and a National Police Check, Information on obtaining a National Police Check can be obtained from the Western Australia Police at www.police.wa.gov.au/.

For more information:

- Visit: www.checkwwc.wa.gov.au; or
- Call: 1800 883 979 (toll free)

NORTHERN TERRITORY

The Care and Protection of Children Act 2007 (NT) highlights a number of initiatives the Northern Territory Government has designed to help keep children safe and prevent harm and exploitation of children, amongst other things.

Since 1 July 2011, it is mandatory for employees and volunteers aged 15 years and over who have contact or potential contact with children to hold a Working With Children Clearance Notice (“WWC Clearance Notice”). WWC Clearance Notices are designed to keep children safe by preventing those who pose a risk to the safety of children from working with them, in either paid or volunteer work. People who receive a WWC Clearance Notice will receive an Ochre Card which acts as proof that you hold a WWC Clearance Notice.

The Children Clearance Screening has three components:

- A National Police Records Check;
- Employment History; and
- Other material

It is the responsibility of the person who wants to work or volunteer with children to apply for the WWC Clearance Notice and ensure that it remains valid.

Individual organisations may also have their own policies that require people working with children and young people to undergo a Police Check. The Northern Territory Police Department provides information on obtaining Police Checks at www.pfes.nt.gov.au.

For more information:

- Visit: <http://www.workingwithchildren.nt.gov.au>; or
- Call: 1800 SAFE NT (1800 723 368)



AUSTRALIAN CAPITAL TERRITORY

There is no formal legislation or relevant screening program in the ACT. Individual employers may require police checks at their discretion.

There are no legal statutes that require people working with children to undergo a police check. However, services contracted to the Government are required to employ “fit and proper” people. This is interpreted as a requirement to obtain a National Police Check. The Australian Federal Police provide National Police Checks for residents in the ACT.

For more information including forms and fees:

- Visit: www.aifs.gov.au; and
- www.afp.gov.au/what-we-do/police-checks/national-police-checks.aspx



PART D: COMPLAINT HANDLING PROCEDURES

ATTACHMENT D1: COMPLAINTS PROCEDURE

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

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

If you wish to remain anonymous, the PCA may have difficulty assisting you to resolve your complaint.

Procedural fairness (natural justice) means that the PCA is required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond.

INFORMAL APPROACHES

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

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

Step 2: Contact a Member Protection Information Officer (MPIO)

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

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

For a list of Pony Club Australia MPIO's see the website.

The MPIO or a designated person will:

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

Step 3: Outcomes from initial contact

After talking with the MPIO or the designated person, you may decide:

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



FORMAL APPROACHES

Step 4: Making a Formal complaint

If your complaint is not resolved or informal approaches are not appropriate or possible, you may:

- make a formal complaint in writing to a MPIO or the PCA Disciplinary Committee, or
- approach a relevant external agency such as an anti-discrimination commission, for advice.
- On receiving a formal complaint and based on the material you have provided, the MPIO or the PCA Disciplinary Committee will decide whether:
 - they are the most appropriate person/s to receive and handle the complaint;
 - the nature and seriousness of the complaint warrants a formal resolution procedure;
 - to appoint a person to investigate (gather more information on) the complaint;
 - to refer the complaint to mediation;
 - to refer the complaint to a hearings tribunal;
 - to refer the matter to the police or other appropriate authority; and/or
 - to implement any interim arrangements that will apply until the complaint process set out in these procedures is completed.

In making the decision(s) outlined above, the MPIO or the PCA Disciplinary Committee will take into account:

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

If the MPIO or the PCA Disciplinary Committee is the appropriate body to handle the complaint they will, to the extent that these steps are necessary:

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

Step 5: Investigation of the complaint

- A person appointed under Step3 will conduct an investigation and provide a written report to the PCA Disciplinary Committee which will determine what further action to take;
- If the complaint is referred to mediation, it will be conducted in accordance with Attachment D2 or as otherwise agreed by you and the respondent and the mediation provider;
- If the complaint is referred to the police or other appropriate authority, the PCA will use its best endeavours to provide all reasonable assistance required by the police or other authority.

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



Step 6: Reconsideration of initial outcome/investigation or appeal

- If, under the formal complaint process, mediation is unsuccessful, you may request that the the PCA Disciplinary Committee reconsider the complaint in accordance with Step 3.
- There is no right of appeal under the PCA Constitution once it has gone through all of the formal process.

Step 7: Documenting the resolution

The Disciplinary Committee of the PCA or delegate will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a 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.

EXTERNAL APPROACHES

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

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

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

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



ATTACHMENT D2: MEDIATION

Mediation is a process that allows the people involved in a complaint to talk through the issues with an impartial person – the mediator – and work out a mutually agreeable solution.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to talk through the issues and makes sure that the process is as fair as possible for all concerned.

Our approach to mediation follows the steps set out below.

1. The MPIO or other designated official will appoint a mediator to help resolve the complaint. This will be done under the direction of the PCA and in consultation with the complainant and the respondent(s).
2. The mediator will talk with the complainant and respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
3. All issues raised during mediation will be treated confidentially. We also respect the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. If the complaint is resolved by mediation, the mediator will prepare a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect the terms of the agreement.
5. If the complaint is not resolved by mediation, the complainant may:
 - write to the PCA Disciplinary Committee to request that the Disciplinary Committee or reconsider the complaint in accordance with Step 3
 - approach an external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

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

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



ATTACHMENT D3: INVESTIGATION PROCESS

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

1. We will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:
 - Interview the complainant and record the interview in writing.
 - Convey full details of the complaint to the respondent (s) so that they can respond.
 - Interview the respondent to allow them to answer the complaint, and record the interview in writing.
2. Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts
3. Make a finding as to whether the complaint is:
 - substantiated (there is sufficient evidence to support the complaint);
 - inconclusive (there is insufficient evidence either way);
 - unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
 - mischievous, vexatious or knowingly untrue.
4. Provide a report to PCA Board documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
5. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarizing key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
6. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser.
7. There is no right to appeal against any decision based on the investigation.



ATTACHMENT D4: TRIBUNAL PROCEDURE

The following will be followed by hearings tribunals established by the PCA to hear member protection related complaints.

Preparation for Tribunal Hearing

1. A Tribunal Panel will be constituted according to the Grievance Resolution Policy to hear a complaint that has been referred to it by the PCA Disciplinary Committee. Tribunal members required to be present throughout the hearing will be as outlined in the Grievance Resolution Policy.
2. The Tribunal members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the PCA Disciplinary Committee relating to the complaint/allegations.
3. The Tribunal will be scheduled as soon as practicable, but must allow adequate time for the person being complained about (respondent(s)) to prepare their case for the hearing.
4. The Tribunal will not include any person who has any actual or perceived conflict of interest, or bias regarding the matter.
5. The PCA Disciplinary Committee will inform the respondent(s) in writing that a tribunal hearing will take place. The notice will outline:
 - That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
 - Details of the complaint, and details of all allegations and the clause of any policy or rule allegedly breached;
 - The date, time and venue of the tribunal hearing;
 - That they can make either verbal or written submissions to the Tribunal;
 - That they may arrange for witnesses to attend the Tribunal in support of their position (statutory declarations of witnesses not available or from character witnesses may also be provided to the Tribunal);
 - An outline of any possible penalties that may be imposed if the complaint is found to be true; and
 - That legal representation will not be allowed. If the respondent is a minor, they should have a parent or guardian present.

A copy of any information/documents that have been given to the Tribunal (e.g. investigation report findings) will also be provided to the respondent.

The respondent(s) will be allowed to participate in all PCA activities and events, pending the decision of the Tribunal, unless the Board of the PCA believes it is necessary to exclude the respondent(s) from all or some PCA activities and events, after considering the nature of the complaint.

6. The PCA Disciplinary Committee will notify the complainant in writing that a tribunal hearing will take place. The notice will outline:
 - That the person has a right to appear at the tribunal hearing to support their complaint;
 - Details of the complaint, including any relevant rules or regulations the respondent is accused of breaching
 - The date, time and venue of the tribunal hearing;
 - That they can make either verbal or written submissions to the Tribunal;
 - That they may arrange for witnesses to attend the Tribunal in support of their position (or provide statutory declarations from witnesses unable to attend); and
 - That legal representation will not be allowed. If the respondent is a minor, they should have a parent or guardian present.



A copy of any information/documents that have been given to the Tribunal (e.g. investigation report findings) will also be provided to the complainant.

7. If the complainant believes the details of the complaint are incorrect or insufficient they should inform the PCA Disciplinary Committee as soon as possible so that the respondent and the Tribunal Panel members can be properly informed of the complaint.
8. It is preferable that the Tribunal include at least one person with knowledge or experience of the relevant laws/rules (e.g. Discrimination).

Tribunal Hearing Procedure

9. The following people will be allowed to attend the Tribunal Hearing:
 - The Tribunal members;
 - The respondent(s);
 - The complainant;
 - Any witnesses called by the respondent;
 - Any witnesses called by the complainant;
 - Any parent / guardian or support person required to support the respondent or the complainant.
10. If the respondent(s) is not present at the set hearing time and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue subject to the Tribunal Chair person being satisfied that all Tribunal notification requirements have been met.
11. If the Tribunal Chairperson considers that a valid reason for the non-attendance of the respondent(s) has been presented, or the Tribunal Chair person does not believe the Tribunal notification requirements have been met, then the Tribunal will be rescheduled to a later date.
12. The Tribunal Chairperson will inform the relevant person of the need to reschedule, and the relevant person will organise for the Tribunal to be reconvened.
13. The Tribunal Chairperson will read out the complaint, ask the respondent(s) if they understand the complaint and if they agree or disagree with the complaint.
14. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures (penalty) under the PCA Constitution.
15. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Reference may be made to brief notes.
 - The complainant may call witnesses.
 - The respondent(s) may question the complainant and witnesses.
16. The respondent(s) will then be asked to respond to the complaint.
 - Reference may be made to brief notes.
 - The respondent may call witnesses.
 - The complainant may ask questions of the respondent and witnesses.
17. Both the complainant and respondent may be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the hearing until required.
18. The Tribunal may:
 - consider any evidence, and in any form, that it deems relevant.
 - question any person giving evidence.
 - limit the number of witnesses presented to those who provide any new evidence.
 - Require the attendance of any witness it deems relevant;
 - Act in an inquisitorial manner in order to establish the truth of the issue/case before it.



19. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
20. If the Tribunal considers that at any time during the Tribunal Hearing that there is any unreasonable or intimidating behaviour from anyone the Chairperson may stop further involvement of the person in the hearing.
21. After all of the evidence has been presented the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has been substantiated on the balance of probabilities (i.e. more probable than not). As the seriousness of the allegation increases, so too must the level of satisfaction of the Tribunal that the complaint has been substantiated. The respondent will be given an opportunity to address the Tribunal on disciplinary measures which might be imposed. Disciplinary measures imposed must be reasonable in the circumstances.
22. All Tribunal decisions will be by majority vote.
23. The Tribunal Chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed, or may advise those present that the decision is reserved and will be handed down in written form.
24. Within 48 hours, the Tribunal Chairperson will:
 - Forward to the relevant person a copy of the Tribunal decision including any disciplinary measures imposed.
 - Forward a letter to the respondent(s) reconfirming the Tribunal decision and any disciplinary measures imposed. The letter should also outline, if allowed, the process and grounds for an appeal.
 - Where the matter is of unusual complexity or importance, the Tribunal Chairperson may inform the parties in writing within 48 hours that the decision will be delayed for a further 48 hours.
25. The Tribunal does not need to provide written reasons for its decision.

Appeals Procedure

[It is considered good and fair practice to provide a process to appeal against decisions or disciplinary actions imposed. The reasons allowable for an appeal need to be determined e.g. limited to such aspects as a denial of natural justice or an unfair / unreasonable penalty. The ability to, and process of, appealing a decision must be outlined in your Constitution.]

26. A complainant or a respondent(s) who is not satisfied with the decision of a Complaints Manager, the outcome of mediation or a Tribunal decision can lodge one appeal to Pony Club Australia on one or more of the following bases:
 - That a denial of natural justice has occurred; or
 - That the disciplinary measure(s) imposed is unjust and/or unreasonable.
 - That the decision was not supported by the information/evidence provided to the Complaints Manager/Mediator/Tribunal;
27. A person wanting to appeal in accordance with clause 25 must lodge a letter setting out the basis for their appeal with the Secretary within 14 days of the relevant decision. [An appeal fee of \$50 shall be included with the letter of intention to appeal.]
28. If the letter of appeal is not received by the PCA Secretary within the time period the right of appeal lapses. If the letter of appeal is received but the appeal fee is not received by the relevant time, the appeal lapses.
29. The letter of appeal and notice of tribunal decision (clause 24) will be forwarded to PCA Board to review and decide whether there are sufficient grounds for the appeal to proceed. The PCA Board may invite any witnesses to the meeting it believes are required to make an informed decision.
30. If the appellant has not shown sufficient grounds for appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified with reasons. The appeal fee will be forfeited.



31. If the appeal is accepted an Appeal Tribunal with a new panel will be convened to rehear the complaint, and the appeal fee will be refunded.
32. The Tribunal Procedure shall be followed for the appeal.
33. The decision of an Appeal Tribunal will be final.



PART E: REPORTING REQUIREMENTS AND DOCUMENTS

ATTACHMENT E1: CONFIDENTIAL RECORD OF INFORMAL COMPLAINT

PERSON RECEIVING COMPLAINT

Name: Date:

COMPLAINANT DETAILS

Complainant's Name:

- Over 18
- Under 18

Role/Status

- Administrator (volunteer)
- Parent
- Rider
- Spectator
- Coach/Assistant
- Coach
- Support Personnel
- Employee (paid)
- Official

Other:

DETAIL OF THE INCIDENT

When/where did the incident take place:

.....

.....

.....

What are the facts relating to the incident as stated by complainant:

.....

.....

.....

.....

What is the nature of the complaint? (category/basis/grounds)

Tick more than one box if necessary:

- Harassment/Discrimination
- Sexual/Sexist
- Selection dispute
- Coaching methods
- Sexuality
- Personality Clash
- Verbal abuse
- Race Bullying
- Physical Abuse
- Religion
- Disability
- Victimisation
- Pregnancy
- Child Abuse
- Unfair decision

Other:



INFORMAL RESOLUTION DETAILS

What does the complainant want to happen to resolve the issue?

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

OTHER INFORMATION

What other information has the complainant provided?

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

COMPLETED BY

Name: Position:

Signature: Date:

SIGNED BY:

Complainant: Date:

Respondent: Date:

What is the complainant going to do now?

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

This record and any notes must be kept in a confidential and safe place. Do not enter it on a computer system. If the issue becomes a formal complaint, this record is to be given to PCA Secretary.



ATTACHMENT E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT

PERSON RECEIVING COMPLAINT

Name: Date:

COMPLAINANT DETAILS

Complainant's Name:

Ph: Email:

Age: Over 18 Under 18

Role/Status

- Administrator (volunteer) Parent Rider
- Spectator Coach/Assistant Coach
- Support Personnel Employee (paid) Official

Other:

DETAIL OF THE INCIDENT

When/where did the incident take place:

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

What are the facts relating to the incident as stated by complainant:

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

What is the nature of the complaint? (category/basis/grounds)

Tick more than one box if necessary:

- Harassment/Discrimination Sexual/Sexist Selection dispute
- Coaching methods Sexuality Personality Clash
- Verbal abuse Race Bullying Physical Abuse
- Religion Disability Victimisation
- Pregnancy Child Abuse Unfair decision

Other:



INFORMAL RESOLUTION DETAILS

Methods (if any) of attempted informal resolution:

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.....
.....

FORMAL RESOLUTION DETAILS

Formal resolution procedure followed (outline):

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.....

If investigated, findings?

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.....
.....

TRIBUNAL DETAILS

If heard by Tribunal, Decision:

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Action recommended:

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.....
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If decision was appealed, decisions:

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.....
.....

Action recommended:

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.....



ATTACHMENT E3: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

- If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.
- Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au.
- We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.
- All people working with PCA in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

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

Do	Don't
<ul style="list-style-type: none"> • Make sure you are clear about what the child has told you 	<ul style="list-style-type: none"> • Do not challenge or undermine the child
<ul style="list-style-type: none"> • Reassure the child that what has occurred is not his or her fault 	<ul style="list-style-type: none"> • Do not seek detailed information, ask leading questions or offer an opinion.
<ul style="list-style-type: none"> • Explain that other people may need to be told in order to stop what is happening. 	<ul style="list-style-type: none"> • Do not discuss the details with any person other than those detailed in these procedures.
<ul style="list-style-type: none"> • Promptly and accurately record the discussion in writing. 	<ul style="list-style-type: none"> • Do not contact the alleged offender.

Step 2: Report the allegation

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

Step 3: Protect the child and manage the situation

- The Club President or other official will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is in paid employment with PCA.
- The Club President or other official will consider what services may be most appropriate to support the child and his or her parent/s.
- The Club President or other official will consider what support services may be appropriate for the alleged offender.
- The Club President or other official will put in place measures to protect the child and the alleged offender from possible victimisation and gossip.



Step 4: Take internal action

- Up to three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)
 - a child protection investigation (conducted by the relevant child protection agency)
 - a disciplinary or misconduct inquiry/investigation (conducted by PCA).
- Regardless of the findings of the police and/or child protection agency investigations, PCA will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.
- Club President or other designated official, tribunal etc of PCA will consider all information relevant to the matter – including any findings made by the police, the child protection authority and/or court – and then set out a finding, recommend actions and the rationale for those actions.
- If disciplinary action is recommended, we will follow the procedures set out in [Clause 9] of our Member Protection Policy.
- We will provide the relevant government agency with a report of any disciplinary action we take, where this is required.

Contact details for advice or to report an allegation of child abuse can be found by contacting your State office.



ATTACHMENT E4: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Before completing this form, please ensure that the steps outlined in [Attachment D4] have been followed and advice has been sought from the police and/or the relevant child protection agency.

PERSON RECEIVING COMPLAINT

Name: Date:

COMPLAINANT DETAILS

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

- Over 18
- Under 18

Role/Status

- Administrator (volunteer)
- Parent
- Rider
- Spectator
- Coach/Assistant
- Coach
- Support Personnel
- Employee (paid)
- Official

Other:

CHILD'S DETAILS

Child's Name: Age:

Address:

DETAIL OF THE INCIDENT

Person's reason for suspecting abuse (eg. Observed, injury, disclosure):

.....

.....

.....

.....

NAME OF PERSON COMPLAINED ABOUT

Name of person:.....

Role/Status

- Administrator (volunteer)
- Parent
- Rider
- Spectator
- Coach/Assistant
- Coach
- Support Personnel
- Employee (paid)
- Official

Other:



WITNESSES

Name (1): Ph:

Name (2): Ph:

Name (3): Ph:

INTERIM ACTION TAKEN (IF ANY)

Action:
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.....
.....
.....
.....

POLICE CONTACTED

Who: When:

Advice provided:
.....
.....
.....
.....
.....
.....
.....
.....

COMPLETED BY:

Name: Position:

Signature: Date:

COMPLAINANT SIGNATURE (IF NOT A CHILD):

Name:

Signature: Date:

This record and any notes must be kept in a confidential and safe place. If required, they should be provided to the police and/or the relevant child protection agency.