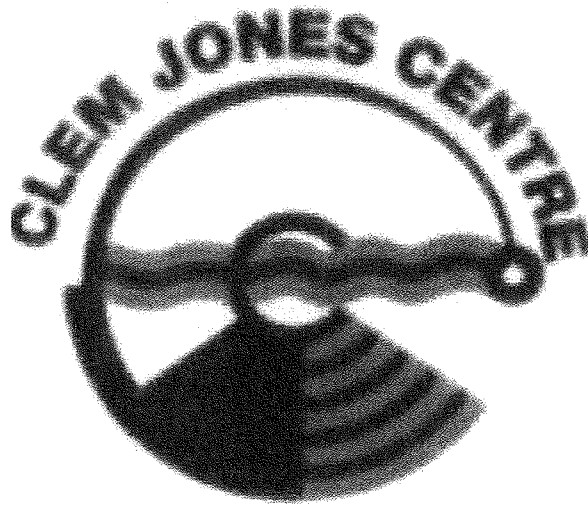


**CAMP HILL CARINA WELFARE  
ASSOCIATION TRADING AS THE**

# **CLEM JONES CENTRE**



**CHILD PROTECTION POLICY**

**RISK MANAGEMENT PROGRAM**

# INDEX

	<b>Page Number</b>
<b>1. Scope of Policy</b>	<b>3</b>
<b>2. The Purpose of This Policy</b>	<b>3</b>
<b>3. Policy Position Statement</b>	<b>4</b>
<b>4. What is Child Abuse</b>	<b>5</b>
<b>5. Who the Policy Applies to</b>	<b>5 - 6</b>
<b>6. Code of Conduct</b>	<b>6</b>
<b>7. Organisational Responsibilities</b>	<b>6 - 7</b>
<b>8. Members/Individual Responsibilities</b>	<b>7</b>
<b>9. Breach of Policy</b>	<b>7 - 8</b>
<b>10. Complaints</b>	<b>8</b>
<b>11. Investigation Procedure</b>	<b>8</b>
<b>12. Disciplinary Measures</b>	<b>8 - 9</b>
<b>13. Factors to Consider When Imposing Discipline</b>	<b>9</b>
<b>14. The use of Images of Children</b>	<b>10 - 11</b>
<b>15. Risk Management Program</b>	<b>11 - 12</b>

## ATTACHMENTS

<b>Attachment 1</b>	<b>Initial Response to Complaint</b>
<b>Attachment 2</b>	<b>Allegations of a Serious Criminal Nature</b>
<b>Attachment 3</b>	<b>Allegations of a less Serious Nature</b>
<b>Attachment 4</b>	<b>Definitions</b>
<b>Attachment 5</b>	<b>Queensland Child Protection Requirements</b>
<b>Attachment 6</b>	<b>Contacts List</b>
<b>Attachment 7</b>	<b>Form – Confidential Record of Child Abuse</b>
<b>Attachment 8</b>	<b>Form – Confidential record of Informal Complaint</b>
<b>Attachment 9</b>	<b>Complaints Flow chart</b>
<b>Attachment 10</b>	<b>Risk Management Register</b>

## **1. Scope of policy**

This policy applies to:

- (i) Any and all employees of the Clem Jones Centre
- (ii) Any individual engaged by the Clem Jones Centre (in any paid or unpaid capacity) including:
  - 1. Contractors and sub-contractors
  - 2. Work experience participants
  - 3. Volunteers
  - 4. Student placements

Whether or not employed or engaged in connection with any work or activities of the Clem Jones Centre that relate to children.

## **2. The Purpose of This Policy is:**

1. To provide written processes about the appropriate conduct of staff and persons associated with the Clem Jones Centre in accordance with legislation in Queensland relating to the care and protection of children;
2. To promote and strive to provide a safe, supportive and ethical environment within the Clem Jones Centre;
3. To provide a mandatory process for reporting and managing allegations within the Clem Jones Centre, which is clear and consistent;
4. To respond to allegations of abuse made under this Policy in a manner which is sensitive to the dignity, respect and confidentiality of all involved, including the alleged perpetrator;
5. To manage allegations in a fair and timely manner;
6. To provide a document which proclaims through a clear and complete explanation the attitudes and accepted accountabilities and responses of the Clem Jones Centre in relation to abuse.

### 3. Policy Position Statement

Every person and Affiliate Group bound by this policy must always place the safety and welfare of children above all other considerations.

The Clem Jones Centre acknowledges that our members, staff and volunteers provide a valuable contribution to the positive experiences of our juniors. The aim of the Clem Jones Centre is to ensure this continues and to protect the safety and welfare of its junior participants.

Several measures will be used to achieve this such as:

1. Prohibiting any form of abuse against children;
2. Providing opportunities for our juniors to contribute to and provide feedback on our program development;
3. Carefully selecting and screening people, as per State legislation, whose role requires them to have regular contact with children.
4. Ensuring our codes of conduct, particularly for roles associated with junior sport, are promoted, enforced and reviewed.
5. Providing procedures for raising concerns or complaints; and
6. Providing education and/or information to those involved in our centre on child abuse and child protection.

The Clem Jones Centre requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within the centre, to report it immediately to the **Clem Jones Centre Grievance Officer**, and to the police or relevant government agency.

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected.

If anyone bound by this policy reasonably suspects that a child is being abused by his or her parent/s, they are advised to contact the relevant government department for youth, family and community services.

## 4. What is Child Abuse

The *Child Protection Act 1999 (section 9)* states: -

1. 'Harm' to a child, is any detrimental effect of a significant nature on the child's physical, psychological or emotional wellbeing.
2. It is immaterial how the harm is caused.
3. Harm can be caused by: -
  - a. Physical, psychological or emotional abuse or neglect, or
  - b. Sexual abuse or exploitation.

Child abuse relates to children (anyone under 18 years) at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

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

## 5. Who The Policy Applies To

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

- a. Individuals sitting on boards, committees and sub-committees;
- b. Employees and volunteers;
- c. Clem Jones Centre members;
- d. Support personnel (for example, managers, physiotherapists, psychologists, masseurs, sport trainers);
- e. Coaches and assistant coaches;
- f. Athletes and players;

- g. Referees, and other officials;
- h. Any other person or organisation that is a member of or affiliated to the Clem Jones Centre;
- i. Parents, guardians, spectators and sponsors to the full extent that is possible.

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

## **6. Code of Conduct**

Clem Jones Centre requires every member/individual and organisation bound by this policy to:

- a. Be ethical, fair and honest in all their dealings with other people associated with the Clem Jones Centre;
- b. Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- c. Always place the safety and welfare of children above other considerations;
- d. Comply with the Clem Jones Centre constitution, rules and policies including this child protection policy;
- e. Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws; and
- f. Be responsible and accountable for their conduct.

## **7. Organisational Responsibilities**

The Clem Jones Centre must:

- a. Adopt, implement and comply with this policy;
- b. Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- c. Promote appropriate standards of conduct at all times;
- d. Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- e. Apply this policy consistently without fear or favour;
- f. Recognise and enforce any penalty imposed under this policy;
- g. Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies;

- h. Appoint or have access to appropriately trained people, that is **Clem Jones Centre Grievance Officer**, to receive and handle complaints and allegations and display their names and contact details in a way that is readily accessible;
- i. Continually conduct risk assessments specific to child protection on the centre's activities conducted and implement guidelines as appropriate; and
- j. Monitor and review this policy at least annually.

## 8. Members/Individual Responsibilities

Members/individuals bound by this policy are responsible for:

- a. Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- b. Consenting to a national police check if the individual holds or applies for a role that involves regular contact with people under the age of 18 years.
- c. Complying with all other requirements of this policy;
- d. Cooperating in providing a discrimination, child abuse and harassment free environment;
- e. Understanding the possible consequences of breaching this policy.

## 9. Breach of Policy

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

- a. Done anything contrary to this policy;
- b. Breached the Code of Conduct as outlined in section 6;
- c. Brought the Clem Jones Centre into disrepute;
- d. Failed to follow the Clem Jones Centre policies and procedures for the protection, safety and welfare of children;
- e. Appointed or continued to appoint a person to a role that involves working with children and young people contrary to this policy;
- f. Discriminated against or harassed any child;
- g. Victimised another person for reporting a complaint;
- h. Engaged in child abuse (as defined) with a child that the person supervises, or has influence, authority or power over;
- i. Made a complaint they **knew** to be untrue, vexatious, malicious or improper;

- j. Failed to comply with a penalty imposed after a finding that the individual has breached this policy;
- k. Failed to comply with a direction given to the individual during the discipline process.

## 10. Complaints

The Clem Jones Sports Centre aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or affiliated organisation bound by this policy if they reasonably believe that a person/s or an affiliated organisation has breached this policy. A complaint should be lodged with the **Clem Jones Centre Grievance Officer**.

A complaint may be reported as an informal or formal complaint. The complainant decides whether the complaint will be dealt with informally or formally unless the **Clem Jones Centre Grievance Officer** considers that the complaint falls outside the parameters of this policy and would be better dealt with in another way.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. The Clem Jones Centre investigation procedure for child abuse is outlined below.

## 11. Investigation Procedure

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. The initial response to a complaint (refer attachment 1) that a child has allegedly been abused **will be immediate** if the incident/s are serious or criminal in nature (refer attachment 2) while less serious/urgent allegations will be actioned within 24 hours (refer attachment 3).

## 12. Disciplinary Measures

**It must be noted that allegations of a serious or criminal nature will be reported to the police or the Department of Child Safety.**

Any disciplinary measures imposed by the Clem Jones Centre under this policy must:-

- a. Observe any contractual and employment rules and requirements;
- b. Conform to the principles of natural justice;
- c. Be fair and reasonable;

- d. Be based on the evidence and information presented;
- e. Be within the powers of the Board of Trustees of the Clem Jones Sports Centre to impose the disciplinary measure.

Subject to contractual and employment requirements, if a finding is made that an individual has breached the Clem Jones Centre – Child Protection Policy (including the Codes of Conduct), one or more of the following forms of discipline may be imposed: -

- a. A direction that the make a verbal and/or written apology;
- b. A written warning;
- c. A direction that the individual attend counselling to address their behaviour;
- d. A withdrawal of any awards or achievements bestowed upon them by the Clem Jones Centre;
- e. A demotion of transfer of the individual to another location, role or activity;
- f. A suspension of the individual's membership or participation or engagement in a role or activity;
- g. Recommend that the Board of Trustees of the Clem Jones Centre terminate the individual's membership, appointment or engagement;
- 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 permanency;
- i. Any other form of discipline the Board of Trustees of the Clem Jones Centre considers appropriate.


### **13. Factors to Consider When Imposing Discipline**

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

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

- a. Nature and seriousness of the behaviour or incidents;

In a case where action is taken concurrently with or in lieu of a resolution of a formal complaint, the wishes of the complainant:

- a. If the individual concerned knew or should have known that the behaviour was a breach of policy
-  b. Level of contrition of the respondent/s
- c. The effect of the proposed disciplinary measures on the respondent/s including any personal, professional or financial consequences;
- d. If there has been relevant prior warnings or disciplinary action; and/or
- e. If there are any mitigating circumstances such that the respondent/s shouldn't be disciplined at all or not disciplined so seriously.

## **14. The Use of Images of Children**

There have been concerns about the risks posed directly and indirectly to children and young people through the use of photographs on sports web sites and other publications. Evidence in Australia indicates that information posted on an internet site or published in a magazine or newspaper can be used to target children, to locate them, and then to condition or groom them. Additionally images can be used or adapted for inappropriate use. The end result is that in spite of the best intentions on the part of the publisher, children can end up being victims of abuse. The Clem Jones Centre is aware of these potential risks and will take appropriate steps to address them.

### **ACQUIRING IMAGES**

- Permission will be obtained from the child's parent/guardian prior to taking the image. Ensuring that they are aware of the way in which the image may be used.
- Request that professional photographers and/or spectators taking photographic/video images register with the Clem Jones Centre and gain permission.
- Clearly outline with professional photographers that all images taken will remain the property of the Clem Jones Centre and cannot be used or sold for any other purpose. Clearly outline that all negatives/proofs etc need to be destroyed or given to the club at the conclusion of the photo opportunity.
- Clearly outline what is considered appropriate behaviour and content to those taking photographic/video images.
- Do not allow unsupervised or individual access to children for photographic opportunities.
- Do not approve photo/video sessions outside the event/venue.
- Provide details to parents/guardians of who to contact if concerns or complaints of inappropriate photographic behaviour or content are raised.

### **DISPLAYING IMAGES BY THE CLEM JONES CENTRE**

- Will consider using models or illustrations for promotional/advertising purposes.
- Permission will be obtained from parent/guardian prior to using the child's image. And will ensure that they are aware of the way in which the image is to be used and how long the image will be displayed when used on a website.
- If the child is named, avoid using the image
- If an image is used, avoid naming the child. If this is not possible avoid using both a first name and surname.
- The Clem Jones Centre will not display personal information such as residential address, email address or telephone numbers without gaining the consent of the parent/guardian.
- The Clem Jones Centre will not display information about hobbies, likes/dislikes, school etc as these can be used as grooming tools by paedophiles or other persons.

- The Clem Jones Centre will only use appropriate images of children, relevant to the sport or activity, and suitably clothed.
- Images of children in an activity that involves minimal clothing or unusual body positions/poses, which could potentially be misused, will focus on the activity not on a particular child and avoid full face and body shots.
- The Clem Jones Centre will provide details of who to contact if concerns or complaints of inappropriate images are raised.

## **15. Risk Management**

### **RISK MANAGEMENT FOR CHILD PROTECTION**

Creating safe and friendly environments for children and young people is a central focus of the Clem Jones Centre risk management plan. Risk management means being aware of potential hazards, and taking steps to remove or minimise them.

For example, when taking children and young people on excursions, the Clem Jones Centre will have in place processes where employees or volunteers issue and collect permission slips, ensure they know about any special needs or medication required and follow specifications for minimum adult/child ratios for activities.

Although the Clem Jones Centre cannot control all risks all the time the Centre shall aim to minimise risks and establish procedures to reduce risks which may arise.

### **THE RISK MANAGEMENT PROCESS**

The first step in the risk management process is to focus on the environment in which the Clem Jones Centre operates. Consider this environment to establish the boundaries within which risks must be managed. To do this the Clem Jones Centre will: -

- Consider the outcomes the Centre wishes to achieve
- Consider the environment in which the Centre operates
- Identify stakeholders and
- Develop risk evaluation criteria

## IDENTIFY THE RISKS (Refer attachment 10 – Risk Management Template)

Identify the risks the Clem Jones Centre faces, consideration to where or when risk may arise. For example, there may be risks associated with: -

- Staff changes
- Introducing new programs or activities
- Accidents, including ‘near misses’
- Outside factor (such as upgrade to a road), and
- Any incident, disclosure of harm, or inappropriate conduct occurs.

## WHAT IS A RISK

A risk is anything that can cause harm, either physically, psychologically or emotionally. It could be caused by a faulty piece of equipment, or leaving children alone in a car park while they wait for a parent or carer to pick them up.

One way to identify risks is to consider what you would do when a child or a young person enters the Clem Jones Centre premises or joins in an activity. What would you warn them about or keep them away from?

Identify risks to other people in the Clem Jones Centre such as employees, volunteers, parents, carers or visitors.

## EVALUATE THE RISK

Consideration will be made as to what kinds of activities are low risk, and which may pose a high risk. No final decision will be made on the acceptable level of risk until Clem Jones Centre Management have spoken to a number of well informed people.

## REVIEW AND UPDATE STRATEGY FOR RISK MANAGEMENT

The Clem Jones Centre Risk Management Strategy will be reviewed following every significant change, event or issue that occurs within the Centre. These reviews will be documented and any changes will be noted and the reasons they have been made

By conducting these reviews this will show employees, volunteers, key stakeholders that Clem Jones Centre takes its responsibilities to minimise risk seriously and are committed to maintaining a friendly, safe environment for children and young people.

## INITIAL RESPONSE TO COMPLAINT

- ❖ The initial response of the person that receives the complaint from the child or a person on behalf of the child is **crucial** to the well being of the child. It is important for the person receiving the information to: -
  - Listen to, be supportive and do not dispute what the child says;
  - Reassure the child that what has occurred is not the fault of the child;
  - Ensure the child is safe;
  - Be honest with the child and explain that other people may need to be told in order to stop what is happening; and
  - Ensure that what the child says is quite clear but **do not** elicit detailed information about the abuse. All care must be taken to avoid suggestive or leading questions.
  
- ❖ The person receiving the complaint should obtain and clarify basic details (if possible) such as: -
  - Child's name, age and address;
  - Person's reason for suspecting abuse (observation, injury or other); and
  - Names and contact details of all people involved, including witnesses.
  
- ❖ Any complaints, concerns or allegations of child abuse should be referred to the **Clem Jones Centre Grievance Officer** by the person taking the complaint at their earliest convenience.
  
- ❖ The **Clem Jones Centre Grievance Officer** should assess the risks and take interim action to ensure the child's/children's safety. Some options include redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined.
  
- ❖ The **Clem Jones Centre Grievance Officer** should also address the support needs of the person against whom the complaint is made. Supervision of the person should ideally occur with the knowledge of the person. If stood down, it should be made clear to all parties that are aware of the incident that this does not mean the person is guilty and a proper investigation still needs to be undertaken.
  
- ❖ The **Clem Jones Centre Grievance Officer** should determine if the allegation is of a less serious nature (for example, verbal assault) (refer attachment 2) or is a serious or criminal allegation (for example, sexual abuse, physical abuse) (refer attachment 3).

## ALLEGATIONS OF A LESS SERIOUS NATURE

- ❖ Investigations will likely be conducted by the **Clem Jones Centre Grievance Officer**, but if appropriate appoint an independent person with appropriate expertise to make contact with each of the people involved to obtain details of the allegation.
- ❖ The investigating officer will follow the procedure set out below: -
  - A written brief will be provided to the investigator (where applicable) to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.
  - The complainant will be interviewed and the complaint documented in writing.
  - The details of the complaint will be conveyed to the person/people complained about (respondent/s) in full. The respondent/s must be given sufficient information to enable them to properly respond to the complaint.
  - The respondent/s will be interviewed and given every opportunity to respond. The respondent/s response to the complaint will be documented in writing.
  - If there is a dispute over the facts, then statements from witnesses and other relevant evidence will be obtained to assist in a determination.
  - The investigator will make a finding as to whether the complaint is:
    - Substantiated (there is sufficient evidence to support the complaint);
    - Inconclusive (there is insufficient evidence to support the complaint);
    - Unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
    - Mischievous, vexatious or knowingly untrue.
  - A report documenting the complaint, investigation process, evidence, findings and, if requested, recommendations will be given to the **Clem Jones Centre Grievance Officer** (where applicable ie where an independent person has investigated).
  - A report documenting the complaint and summarising the investigation process and key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous will be provided to the complainant and the respondent/s.
  - Both the complainant and the respondent/s are entitled to support throughout this process from their chosen person/advisor.
  - The complainant and the respondent/s may have the right to appeal any decision based on the investigation.
  - Strict confidentiality, impartiality, fairness and due process must be maintained at all times.
  - The **Clem Jones Centre Grievance Officer** will provide a report to the Board of Trustees of The Clem Jones Sports Centre. The Board of Trustees will consider all the information and determine a finding. The Board of Trustees will recommend actions to be taken and the rationale for the action.

## ALLEGATIONS OF A SERIOUS OR CRIMINAL NATURE

- ❖ If the allegation involves a child at risk of harm, the incident should **immediately** be reported to the police or other appropriate authority. The allegation may need to be reported to both the police and the Department of Child Safety.
- ❖ The Department of Child Safety should be contacted for advice if there is any doubt about whether the complaint should be reported.
- ❖ If the child's parent/s or guardian/s are suspected of committing the abuse, report the allegation to the Department of Child Safety.
- ❖ The **Clem Jones Centre Grievance Officer** must immediately communicate with the Board of Trustees of The Clem Jones Sports Centre to ensure that appropriate action to protect the child has been taken.
- ❖ Seek advice from the police and the Department of Child Safety as to whether the **Clem Jones Centre Grievance Officer** should carry out its own internal investigation (in addition to any police or Department of Child Safety investigation).
- ❖ If the police or the Department of Child Safety advises that it is appropriate, then conduct an investigation (or appoint an independent person with appropriate expertise). The investigator should:-
  - Contact the parents/guardians or the child at an appropriate time and as directed by the police or the Department of Child Safety.
  - If appropriate, meet with the parents/guardians and the child to clarify the incident and offer support on behalf of the Clem Jones Sports Centre if required (for example professional counselling).
  - Meet with the person/s against whom the allegation refers at an appropriate time and as directed by the Department of Child Safety. Give the person an opportunity to explain or respond to the allegation and identify any witnesses and supporting evidence. The person should have an opportunity to invite a support person/advisor to attend at a meeting and should be offered support (for example professional counselling) if necessary.
  - Obtain a signed statement and record of interview from the person.
  - Make contact with any witnesses and obtain written and signed statements outlining details of the allegation (what happened, when, how). This should only occur following advice from the Department of Child Safety.
  - Obtain other information that could assist in making a decision on the allegation.
- ❖ The information collected during the investigation should be made available to the police and the Department of Child Safety
- ❖ Strict confidentiality, impartiality, fairness and due process must be maintained at all times.
- ❖ The **Clem Jones Centre Grievance Officer** will provide a report to the Board of Trustees of The Clem Jones Sports Centre. The Board of Trustees will consider all the information and determine a finding. The Board of Trustees will recommend actions to be taken and the rationale for the action.

## DEFINITIONS

These definitions set out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. Specific definitions and more detail on some of the words in this dictionary can be sourced from the 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 abuse behaviour include bullying, humiliation, verbal abuse and insults.

**CHILD:** Means a person who is under the age of 18 years.

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

- Physical abuse by hurting a child or a child's development (eg hitting, shaking or other physical harm; giving a child alcohol or drugs, giving bad nutritional advice; or training that exceeds the child's development or maturity).
- 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 (eg sexual intercourse, masturbation, oral sex, pornography including child pornography or inappropriate touching or conversations).
- Emotional abuse by ill-treating a child (eg humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).
- Neglect (eg 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 this policy.

**COMPLAINANT:** Means the person making a complaint.

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

- Age;
- Disability;
- Marital status;
- Parental/carer status;
- Physical features;
- Political belief/activity;
- Pregnancy;
- Race
- Religion belief/activity;

- Sex or gender;
- Sexual orientation;
- Trade union membership/activity;
- Transgender orientation.

Discrimination is not permitted in the areas of employment (including volunteer and unpaid employment); the provision of goods and services; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any child or any other person to any competition; obtaining or retaining membership of an organisation (including the rights and privileges of membership).

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

Discrimination may be direct or indirect. **Direct discrimination** is treating or proposing to treat someone less favourably because of characteristic (for example race, sex, age etc) in the same or similar circumstances. **Indirect discrimination** is imposing or intending to impose a requirement, condition or practice that is the same for everyone but which has an unequal or disproportionate effect on particular individuals or groups.

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

Unlawful harassment includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexuality or other characteristic.

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

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

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

- Protecting those that are involved in sport activities from harassment, abuse, discrimination and other forms of inappropriate behaviour
- Adopting appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with juniors, and
- Providing education.

**NATURAL JUSTICE:** Incorporates the following principles:

- A person who is the subject of a complaint must be fully informed of the allegations against them.
- A person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence.
- All parties need to be heard and all relevant submissions considered irrelevant matters should not be taken into account.

- No person may judge their own case.
- The decision maker's must be unbiased, fair and just.
- The penalties imposed must not outweigh the 'crime'.

**NOMINATED CENTRE GRIEVANCE OFFICER:** Means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this policy. The Centre Grievance Officer provides confidential information and moral support to the person with the concern or who is alleging harassment or a breach of this policy. They help the complainant deal with any emotions they may have about what has happened and operate as a sounding board as the complainant decides what they want to do. The Centre Grievance Officer may accompany the complainant in anything they decide to do, if it feels appropriate and they are happy to do it.

**POLICE CHECK:** Means a national criminal history check conducted as a prudent pre-employment or pre-engagement background check on a person.

**RESPONDENT:** Means the person who is being complained about.

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

**SEXUAL OFFENCE:** Means a criminal offence involving sexual activity or acts of indecency including but not limited to: -

- 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 acts

**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 (eg anti-discrimination) or under this policy, or for supporting another person to make a complaint.

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

**YOUNG PEOPLE/PERSON:** Means people in the 13 – 18 age group

## QUEENSLAND CHILD PROTECTION REQUIREMENTS

1. This information is subject to change at any time. Refer to the Queensland Commission for Children and Young People and Child Guardian's web site: [www.ccypcg.qld.gov.au](http://www.ccypcg.qld.gov.au)
2. In Queensland the Commission for Children and Young People and Child Guardian Act 2000 requires people who work with children under 18 years of age in certain categories of paid or voluntary employment or those who operate child-related businesses, to undergo a Working with Children Check. The Working with Children Check is a comprehensive assessment of a person's suitability to work with children based on their criminal history and certain professional disciplinary information, if any. Those found suitable to work with children and young people are issued with a suitability card, or blue card. The blue card must be renewed every 2 years.
3. The Clem Jones Centre is responsible for applying to the Queensland Commission for Children and Young People and Child Guardian for Working With Children checks on employees and volunteers who work with children or young people. People carrying on a regulated business are responsible for applying for their own Working With Children Check. These requirements apply despite the existence or absence of a member protection policy.
4. All volunteers and paid employees that work with children or young people must apply for a blue card.
5. Application forms for you to apply for a suitability notice for a paid employee, volunteer or person carrying on a regulated business can be downloaded from [www.ccypcg.qld.gov.au](http://www.ccypcg.qld.gov.au). Screening for volunteers is free and for paid employees and people carrying on a regulated business is \$40.00.

## CONTACTS LIST

### AFFILIATED SPORTING GROUPS

All Gauge Model Railway		
Balmoral Little A's		
Mini Club Owners		
Carina Leagues CJS Swimming Club		
Carina Leagues CJS Triathlon Club		
Mayfield Netball		
Bulimba Hockey		
Mater Hill Cricket		
Thompson Estate Athletics		
East Carina Leagues Junior Rugby		
Carina Redsox Baseball		
South Districts Basketball		
Carina Bowls Club		
Carina Leagues Club		
Eastern Suburb Coorparoo – Old Boys		
Warriors Water Polo		
Southern Districts Baptist Bible Church		
St Johns Ambulance		
Lucht Tennis		
Strong Bones		
Bad Dogs		

# CONTACTS LIST

## GOVERNMENT AGENCIES

Morningside Police Station 73 Thynne road	<a href="http://www.police.qld.gov.au">www.police.qld.gov.au</a>	3832 8666 000
Department of child Safety	<a href="http://www.childsafety.qld.gov.au">www.childsafety.qld.gov.au</a>	3235 9999
Commission for Children & Young People & Child Guardian	<a href="http://www.ccypeg.qld.gov.au">www.ccypeg.qld.gov.au</a>	1800688275
Department of Communities	<a href="http://www.communities.qld.gov.au">www.communities.qld.gov.au</a>	131304
Australian Sports Commission	<a href="http://www.ausport.gov.au">www.ausport.gov.au</a>	(02) 6214 1111
Play By The Rules (Guidelines for coaches and officials)	<a href="http://www.playbytherules.net.au">www.playbytherules.net.au</a>	
Mater Childrens Hospital	Stanley Street South Brisbane	3840 8111
Legal Aid Queensland	<a href="http://www.legalaid.qld.gov.au">www.legalaid.qld.gov.au</a>	1300651188

# CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Insure the procedures outlined in the Child Protection Policy are followed and advice is sought from the Department of Child Safety and/or Police for allegations of a serious or criminal nature

<b>Complainant's name (if other than the child)</b>		<b>Date formal Complaint received</b> /     /
<b>Role/Status in Clem Jones Sports Centre</b>		
<b>Child's Name</b>		<b>Age:</b>
<b>Child's Address</b>		
<b>Person's reason for suspecting abuse. (observation, injury disclosure)</b>		
<b>Name of person complained about.</b>		
<b>Role/status at the Clem Jones Sports Centre</b>	<input type="checkbox"/> Volunteer <input type="checkbox"/> Employee <input type="checkbox"/> Official <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Parent <input type="checkbox"/> Spectator <input type="checkbox"/> Other	
<b>Witnesses</b>  (If more than 2 witnesses, attach details to this form.)	<b>Name (1)</b> ..... <b>Contact details:</b> ..... <b>Name (2)</b> ..... <b>Contact details:</b> .....	
<b>Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about),</b>	..... ..... ..... .....	
<b>Police contacted</b>	<b>Who:</b> ..... <b>When:</b> ..... <b>Advice provided:</b> ..... .....	
<b>Government Agency Contacted</b>	<b>Who:</b> ..... <b>When:</b> ..... <b>Advice provided:</b> ..... .....	

Date &amp; Signature of Complainant

Completed By

# CONFIDENTIAL RECORD OF INFORMAL COMPLAINT

This record any any notes must be kept in a secure confidential location - do not enter on a computer system

<b>Nominated Centre Grievance Officer Name</b> .....		<b>Date</b> /    /
<b>Complainant's Name</b> .....		
<b>Role/Stautus at the Clem Jones Sports Centre</b>	<input type="checkbox"/> Volunteer <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/Player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee <input type="checkbox"/> Other .....	
<b>Location/event of alleged issue</b> ..... .....		
<b>Facts as stated by Complainant</b> ..... ..... ..... .....		
<b>Nature of complaint (category/basis/grounds) (Can tick more than one box)</b>	<input type="checkbox"/> Harassment <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Bullying <input type="checkbox"/> Race <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Religion <input type="checkbox"/> Physical abuse <input type="checkbox"/> Child abuse <input type="checkbox"/> victimisation <input type="checkbox"/> other .....	
<b>What action the complainant wants to happen to fix issue</b> ..... ..... .....		
<b>What information provided by Centre Grievance Officer</b> ..... ..... ..... .....		

**Name, Date and signature of Centre Grievance Officer**

\_\_\_\_\_

# COMPLAINTS FLOWCHART

## COMPLAINTS / GRIEVANCES / ISSUES

