



MYC Gymnastics  
Mornington Youth Club Inc.  
A.B.N. 97 816 625 229  
350 Dunns Road (PO Box 102)  
Mornington Vic 3931  
Phone (03) 5975 3155  
Email [admin@mycgymnastics.org.au](mailto:admin@mycgymnastics.org.au)  
[www.myc.gymnastics.org.au](http://www.myc.gymnastics.org.au)

# ***Member Protection Policy***



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## ***MEMBER PROTECTION POLICY***

### **Introduction**

MYC Gymnastics (Club) sets out its Vision and values as follows:

### **Vision**

To provide gymnastics opportunities to the people of the Mornington Peninsula in a friendly, supportive and professional environment.

### **Values**

MYC Gymnastics will provide a program for all participants based on the following:-

- To provide a safe, caring and stimulating environment where people are able to grow and develop at their own rate.
- To provide a program that will enhance each participant's strengths, competencies and self-esteem.
- To provide a program that is sensitive to individual differences.
- The program will be developed to incorporate all levels of learning.
- The program will be developed to allow the greatest number of participants possible.
- The program cost will be kept as low as possible, while maintaining professionalism of coaching.
- Every participant will be assisted to develop to their maximum potential.
- Coaching staff will determine the levels to be worked towards and the appropriate squad or team for each participant.
- To strive for excellence in individual and team competitions at Local, State and National level.

### **Purpose of this policy**

MYC Gymnastics is committed to providing a sport and work environment free of discrimination and harassment (sexual or otherwise), where individuals are treated with respect and dignity. MYC Gymnastics will not tolerate discriminatory or harassment behaviour under any circumstances and will take disciplinary action against anyone who breaches the Policy.

MYC Gymnastics is committed to ensuring that the safety, welfare and wellbeing of children are maintained at all times during their participation in activities run by the Club. Accordingly, any adult involved in the instruction, management or coaching of any member under the age of 18 years may be asked to undergo screening procedures including police checks and working with children checks.

MYC Gymnastics adoption of this policy is in accordance with its obligations under the Gymnastics Australia Member Protection Policy as an affiliated club.

## Dictionary

This dictionary sets out the meaning of words used in this Policy and its attachments without limiting the ordinary and natural meaning of the words.

- a) **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.
- b) **Club** means MYC Gymnastics club.
- c) **Club Member** has the meaning outlined in section 4 of the MYC Gymnastics club model rules.
- d) **Child (or Children)** means a person involved in the activities of MYC Gymnastics (including athletes) and under the age of 18 years unless otherwise stated under the law applicable to the child.
- e) **Child abuse** includes any action that results in actual or potential harm to a child, in circumstances where the child's parents, carers or guardians have not protected, or are unlikely to protect, the child. Child abuse can be a single incident, but usually takes place over time. Child abuse may include:
  - i. Physical abuse occurs when a child suffers or is likely to suffer significant harm from an injury inflicted by a child's parent or caregiver. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child. The injury may take the form of bruises, cuts, burns or fractures.
  - ii. Sexual abuse occurs when a person uses power or authority over a child to involve the child in sexual activity and the child's parents or caregiver has not protected the child. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity.
  - iii. Emotional abuse occurs when a child's parent or caregiver repeatedly rejects the child or uses threats to frighten the child. This may involve name calling, put downs or continual coldness from the parent or caregiver, to the extent that it significantly damages the child's physical, social, intellectual or emotional development.
  - iv. Neglect is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed.
- f) **Complaint** means a complaint made under this policy.
- g) **Complainant** means a person making a complaint.
- h) **Complaint handler/manager** means a person appointed under this policy to investigate a complaint.

- i) **Intersex** means a person with a variation in sex characteristics including chromosomes, gonads or genitals that do not allow an individual to be distinctly identified as male or female.
- j) **Mediator** means an impartial/neutral person appointed to talk through the issues and resolve the matter on mutually agreeable terms.
- k) **Members** means club members
- l) **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. He or she provides impartial and confidential support to the person making the complaint.
- m) **Natural justice (also referred to as procedural fairness)** incorporates the following principles:
  - i. The decision maker must provide a supported, confidential and reasonable opportunity for both the Complainant and the Respondent(s) to respond to the comment on complaints and allegations:
  - ii. The decision maker must not appear to have an interest in the matter to be decided and not to appear to bring a prejudiced mind to the matter.
  - iii. The decision maker must collect all the relevant information and must only make a decision based on logically probative evidence.
  - iv. The decision maker must act diligently and promptly.
- n) **Police check** means a national criminal history record check conducted as a pre-employment, pre-engagement or current employment background check on a person.
- o) **This policy** means this member protection policy.
- p) **Respondent(s)** means the person/people against whom a complaint is made.
- q) **Role-specific codes of conduct (or behaviour)** means standards of conduct required of certain roles (e.g. coaches)
- r) **Sexual offence** means a criminal offence involving sexual activity or acts of indecency, including but not limited to:
  - i. Rape
  - ii. Indecent assault
  - iii. Sexual assault
  - iv. Assault with intent to have sexual intercourse
  - v. Incest
  - vi. Sexual penetration of a child under the age of 16

- vii. Indecent act with child under the age of 16
  - viii. Sexual relationship with child under the age of 16
  - ix. Sexual offences against people with impaired mental functioning
  - x. Abduction and detention
  - xi. Procuring sexual penetration by threats or fraud
  - xii. Procuring sexual penetration of child under the age of 16
  - xiii. Bestiality
  - xiv. Soliciting acts of sexual penetration or indecent acts
  - xv. Promoting or engaging in acts of child prostitution
  - xvi. Obtaining benefits from child prostitution
  - xvii. Possession of child pornography
  - xviii. Publishing child pornography and indecent articles
- s) **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.
- t) **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 a complaint under this policy, or for supporting such a person.
- u) **Vilification** involves public acts by a person or organisation 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 A – MEMBER PROTECTION POLICY**

### **APPLICATION**

This Policy applies to all members of MYC Gymnastics employees, administrators, volunteers, coaches, judges, participants, officials and members.

This Policy applies equally to Members involved in each of the Club's gymnastic disciplines, including Men's Artistic Gymnastics, Women's Artistic Gymnastics, Gymnastics for All and Inclusive Programs.

This Policy applies to behaviour occurring both within and outside the course of MYC Gymnastics business, activities and events, when the behaviour involves Members and negatively affects relationships within MYC Gymnastics sport and work environment.

### **COVERAGE**

Discrimination and all forms of harassment are unlawful under Federal, State and Territory law. People engaging in such conduct can have legal action taken against them under these laws. In some cases, legal action can also be taken against the organisation for which they work or represent. For this reason, MYC Gymnastics has a legal responsibility to ensure that discrimination or harassment does not occur in the course of any of the Club's activities.

The law is always the minimum standard for behaviour within MYC Gymnastics, and therefore any criminal offence will be reported to the appropriate authorities.

### **CHILD PROTECTION**

Please refer to the child safe and child friendly policy in Part B of this policy.

### **TAKING IMAGES**

- a) Images of individuals must only be taken and shared in an appropriate and lawful manner.
- b) Images of children cannot be used inappropriately or illegally. MYC Gymnastics may take images or otherwise record images of Gymnasts and attendees at club events for the purpose of promotion of MYC Gymnastics.
- c) MYC Gymnastics requires that persons obtain permission before taking an image of a child that is not their own and ensure that the parent/guardian knows the way the image will be used.
- d) MYC Gymnastics also requires the privacy of others to be respected and prohibits the use of camera phones, videos and cameras inside changing areas, showers and toilets.
- e) If MYC Gymnastics uses an image of a child it will avoid, wherever possible, naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. MYC Gymnastics will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. Unless permission is provided by the parent/guardian of a child, MYC Gymnastics will not display information about hobbies, likes/dislikes, school, etc. as this information can be used as

grooming tools by paedophiles or other persons. MYC Gymnastics will only use appropriate images of a child that is relevant to our sport and ensure that the child is suitable clothed in a manner that promotes the sport, displays its successes, etc. Wherever possible MYC Gymnastics will seek permission to use these images.

## **ANTI-DISCRIMINATION AND HARASSMENT**

MYC Gymnastics is committed to providing an environment in which people are treated fairly and equitably and that is free from all forms of discrimination and harassment. We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

MYC Gymnastics has a zero tolerance to all forms of harassment and discrimination.

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

### **Discrimination**

- a) Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law (as defined below). This includes bullying someone because of a protected characteristic.
- b) In Victoria it is against the law for someone to discriminate against a person because of a characteristic that they have (a personal characteristic protected by the law), or that someone assumes they have. These personal characteristics include:
  - Age
  - Carer and parental status
  - Disability (including physical, sensory and intellectual disability, work related injury, medical conditions, and mental, psychological and learning disabilities)
  - Employment activity
  - Gender identity, lawful sexual activity and sexual orientation
  - Industrial activity
  - Marital status
  - Physical features
  - Political belief or activity
  - Pregnancy and breastfeeding



- Race (including colour, nationality, ethnicity and ethnic origin)
  - Religious belief or activity
  - Sex
  - Expunged homosexual conviction
  - Personal association with someone who has, or is assumed to have, one of these personal characteristics.
- c) Discrimination can be direct or indirect:
- I. **Direct discrimination** occurs if a person treats, or proposes to treat, a person with a protected person characteristic (as defined above) unfavourably because of that characteristic.
  - II. **Indirect discrimination** occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.
- d) In Victoria it is against the law to discriminate and/or harass people in areas of public life such as sporting clubs or in the workplace.
- e) For the purposes of determining discrimination, the offender's awareness and motive are irrelevant.
- f) Examples of discrimination are available on the Play by the Rules website:  
[www.playbytherules.net.au/legal-stuff/discrimination](http://www.playbytherules.net.au/legal-stuff/discrimination)
- I. **Age:** a club refuses to allow an older person to coach a team simply because of age.
  - II. **Breastfeeding:** a member of the club who is breastfeeding a baby in the club rooms is asked to leave.
  - III. **Disability:** a junior player is overlooked because of mild epilepsy.
  - IV. **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.
  - V. **Gender identity:** a transgender contract worker is harassed when employees refuse to call her by her female name.
  - VI. **Homosexuality:** an athlete is ostracised from her team after it becomes known she is a lesbian.
  - VII. **Marital status:** a player is deliberately excluded from team activities and social functions because she is single.
  - VIII. **Pregnancy:** a woman is dropped from a squad when she becomes pregnant.

- IX. **Race:** an Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.
- X. **Sex:** specialist coaching is only offered to male players in a mixed team.
- g) In Victoria it is illegal 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.
- h) Some exceptions to State and/or Federal anti-discrimination laws may apply, such as:
- i. Holding a competitive sporting activity for boys and girls only who are under the age of 15;
  - ii. Excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who are under the age of 12 years); and
  - iii. 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 activity.

### Harassment

- a) Harassment is any unwelcome conduct, advance or behaviour that is reasonably likely to make another person feel intimidated, insulted or humiliated.
- b) Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes another person feel humiliated, intimidated or offended. Sexual harassment can take many forms and may include unwanted physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a sexually hostile environment.
- c) Sexual harassment is not a behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.
- d) Harassment may be a single incident, but is usually repeated. It may be explicit or implicit, verbal or non-verbal and includes electronic communication (e.g. via social media).
- e) Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law.
- f) Public acts of racial and religious 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.

## SEXUAL RELATIONSHIPS

- a) Consensual intimate relationships (including sexual relationships) between consenting adults covered by this policy are accepted by MYC Gymnastics, however such relationships should not adversely impact the interests of MYC Gymnastics.
- b) Persons must conduct themselves in a professional and appropriate manner whilst engaging in the activities of MYC Gymnastics and not allow their personal relationships to compromise their responsibilities.
- c) Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. In particular, they must ensure that they treat athletes in a respectful and fair manner, and that they do not engage in sexual harassment, bullying, favouritism or exploitation.
- d) If a consensual intimate relationship does exist or develop between an adult athlete and a coach or official, the coach or official is expected to ensure that the relationship does not compromise impartiality, professional standards or the relationship of trust the coach or official has with the athlete and/or other athletes.
- e) If unsure, a person must seek advice from the MPIO or other MYC Gymnastics official to ensure that they are acting professionally, impartially and without any conflict of interest.
- f) In assessing the appropriateness of an intimate relationship between a coach or official and an adult athlete, relevant factors include, but are not limited to:
  - i. The relative age and social maturity of the athlete;
  - ii. Any potential vulnerability of the athlete;
  - iii. Any financial and/or emotional dependence of the athlete on the coach or official;
  - iv. The ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career;
  - v. The extent of power imbalance between the athlete and coach or official; and the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.

If it is determined that an intimate relationship between a coach or official and an adult athlete gives rise to a perceived or actual conflict of interest or compromises professional standards, we may take steps to assign another coach or official to the adult athlete. In circumstances where professional standards are compromised, or a conflict of interest exists and is not disclosed to MYC Gymnastics, MYC Gymnastics may take disciplinary action against the coach or official person.

## **PREGNANCY**

- a) All persons must treat pregnant women with dignity and respect and any unreasonable barriers to participation by them in our sport should be removed. MYC Gymnastics will not tolerate any discrimination or harassment against pregnant women.
- b) In accordance with our obligations to provide a safe environment for our members and associates, MYC Gymnastics may require a pregnant woman engaging in sporting or professional activities to provide a medical report in order for the organisation to determine whether the organisation is required to provide any reasonable support and assistance to protect the woman's safety.
- c) MYC Gymnastics will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women.
- d) Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of the utmost importance in their decision making about the way they participate in our sport.

## **GENDER IDENTITY**

All persons must treat people who identify as transgender or people with intersex variation fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. MYC Gymnastics will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender, intersex, transsexual or who is thought to be transgender.

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

- a) MYC Gymnastics is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate equally. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity.
- b) All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender, intersex or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual.
- c) We expect all people bound by this Policy to act with sensitivity when a person is undergoing gender transition/affirmation.
- d) If any person believes they are being, or have been, harassed or discriminated against by another person or organisation bound by this Policy because of their gender identity they may make a complaint.

### **Participation in sport**

- a) MYC Gymnastics recognises that excluding or limiting people from participating in sporting events and activities because of their gender identity may have significant implications for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport on the basis of the gender with which a person identifies.
- b) If issues of performance advantage arise, we will consider whether the established discrimination exceptions for participating in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.
- c) MYC Gymnastics is aware that the International Olympic Committee (**IOC**) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends competing at an elite level, Gymnastics Australia will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by Gymnastics Australia.
- d) 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.

### **Intersex status**

- a) Federal and state anti-discrimination laws provide protection from discrimination against a person on the basis of their intersex status. (See Dictionary of terms at the beginning of this policy).
- b) MYC Gymnastics is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their intersex status.

### **ALCOHOL POLICY**

- a) MYC Gymnastics is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol.
- b) In general, our policy is that:
  - i. Alcohol should not be available or consumed at sporting events involving children and young people under the age of 18;
  - ii. Alcohol free social events be provided for young people and families;
  - iii. Food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
  - iv. A staff member is present at events we hold or endorse where alcohol is served to ensure appropriate practices in respect of the consumption of alcohol are followed;

- v. Safe transport options be promoted as part of any event we hold or endorse where alcohol is served; and
  - vi. We will not endorse, or assume any responsibility for, behaviour of individuals at an event following an MYC Gymnastics event where alcohol may have been consumed.
- c) MYC Gymnastics hold a level three accreditation with Good Sports.

## ILLEGAL DRUGS

- a) Unfortunately, illegal drugs are used by many people in the community, including young adults, so it is likely that some participants in gymnastics will have access to them. Currently there are two distinct but related illegal drug issues confronting sporting clubs:

- Performance enhancing drugs; and
- Illegal drugs used for social purposes

These two categories are not mutually exclusive. Some illegal drugs used for social purposes (such as amphetamines, e.g. speed) may be used in an attempt to enhance sporting performance.

- b) The possession, use, distribution or selling of illegal drugs for any purpose on club premises, or at any function or activity organised by MYC Gymnastics is wholly prohibited.
- c) In the case of an incident an illegal drug, the initial actions and responses of MYC Gymnastics will focus on the safety and welfare of those directly involved. All responses and actions will reflect the sport's duty of care to participants.
- d) MYC Gymnastics will investigate all apparent or alleged breaches of this policy and determine a course of action after all relevant facts and circumstances are known.
- e) MYC Gymnastics may refer a person who is involved in illegal drug use to a medical or health service for assistance or, wherever necessary, to the relevant authorities such as Victoria Police.
- f) If suspected or known that a person is involved in supplying illegal drugs, the relevant authorities will be notified immediately.
- g) In the interests of health and safety, MYC Gymnastics will contact the parents/guardian of a minor where apparent or suspected illegal drug use has occurred (unless by doing so it will place the safety of the individual at risk of greater harm).
- h) If the person is aged over 18 years, MYC Gymnastics will decide whether contacting parents/guardian is in the best interests of the individual. In this circumstance, MYC Gymnastics will determine each case on its merits.

## BULLYING AND VIOLENCE

- a) MYC Gymnastics is committed to providing an environment that is free from bullying and violence. We understand that bullying and violence have the potential to result in significant negative consequences for an individual's health and wellbeing and we regard bullying and violence in all forms as unacceptable in our sport.
- b) Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group.
- c) The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:
  - i. Verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
  - ii. Excluding or isolating a group or person;
  - iii. Spreading malicious rumours; or
  - iv. Psychological harassment such as intimidation.
- d) Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking sites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. MYC Gymnastics will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.
- e) If any person believes they are being, or have been, bullied, or had violence committed against them by another person or organisation bound by this Policy, he or she may make a complaint. (Refer to Part G of this Policy.)
- f) Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a judge, team-mate, coach, or sporting body should never be communicated on social network channels, but rather by way of reasoned and logical verbal and written statements and where appropriate, complaints, to the relevant controlling club, league or peak sporting body.
- g) Violence is force, directed towards a person or group that is damaging, destructive, injurious, harmful or hurtful. Violence can be a one-off incident or repeated force that can be physical, verbal or sexual. Verbal force can include threatening to use physical force.
- h) Any violence committed by an adult against a person or persons is required to be reported to the police immediately. Any violence committed by a child against a person or persons will be referred to the police where reasonable.



## **SOCIAL MEDIA POLICY**

- a) MYC Gymnastics acknowledges the enormous value of social media to promote our sport and celebrate the achievements and success of the people involved in our sport.
- b) Social media means communicating via a broadcast medium in the sense that information published to a social media channel is capable of being transmitted to and read by a wide audience. Twitter, Facebook, Blog sites and Video/image sharing sites e.g. You Tube and Flickr are examples of social media channels.
- c) We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.
- d) In particular, social media activity including, but not limited to, postings, blogs, status updates, and tweets:
  - i. Must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate;
  - ii. Must not contain material which is inaccurate, misleading or fraudulent;
  - iii. Must not contain material which is in breach of laws, court orders, undertakings or contracts;
  - iv. Should respect and maintain privacy of others; and
  - v. Should promote the sport in a positive way.

## **COMPLAINTS PROCEDURES**

See Part G - Complaints Handling Procedures

## **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:

- a) Breaching the Codes of Behaviour (Part C to this Policy);
- b) Bringing the sport and MYC Gymnastics into disrepute, or acting in a manner likely to bring the sport and MYC Gymnastics into disrepute;
- c) Failing to follow MYC Gymnastics policies (including this Policy) and procedures for the protection, safety and welfare of children;
- d) Discriminating against, harassing or bullying (including cyber bullying) any person;
- e) Victimising another person for reporting a complaint;



- f) Engaging in a sexually inappropriate relationship with a person that they supervise, or have influence, authority or power over;
- g) Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- h) Disclosing to any unauthorised person or organisation any MYC Gymnastics information that is of a private, confidential or privileged nature;
- i) Making a complaint they **knew or should have known** to be untrue, vexatious, malicious or improper;
- j) Failing to comply with a penalty imposed after a finding that the individual or organisation has breached this Policy; or
- k) Failing to comply with a direction given to the individual or organisation during the discipline process.

## DISCIPLINARY MEASURES

If an individual or organisation to which this policy applies breaches this Policy, one or more forms of discipline may be imposed. Any disciplinary measure imposed under this Policy must:

- a) Be applied consistent with any contractual and employment rules and requirements;
- b) Be fair and reasonable;
- c) Be based on evidence and information presented and the seriousness of the breach; and
- d) Be determined in accordance with the MYC Gymnastics model rules, this policy and rules of the sport.

### Individual

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

- a) A direction that the individual 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 award, placing, record, achievement bestowed in any tournament, activity or event held by MYC Gymnastics.
- e) A demotion or transfer of the individual to another location, role or activity.

- f) A suspension of the individual's membership, appointment, participation or engagement in a role or activity;
- g) Termination of the individual's membership, appointment, participation or engagement in a role or activity;
- h) A recommendation that Gymnastics Victoria terminate the individual's membership, appointment, participation or engagement in a role or activity;
- i) In the case of a coach or official, a direction that the relevant organisation deregister the accreditation of the coach or official for a period of time or permanently;
- j) A fine; and/or
- k) Any other form of discipline that the Committee of Management considers appropriate.

### **Organisation**

If a finding is made that an affiliated club has breached its' own member protection policy or the Gymnastics Victoria member protection policy, one or more of the following forms of discipline may be imposed by the Gymnastics Victoria Disciplinary Committee:

- a) A written warning;
- b) A fine;
- c) A direction that any rights, privileges and benefits provided to that affiliated club by the national body or other peak association be suspended for a specified period;
- d) A direction that any funding granted or given to that affiliated club by Gymnastics Victoria cease from a specified date (or for a specified period);
- e) A direction that Gymnastics Victoria cease to sanction events held by or under the auspices of that affiliated club;
- f) A direction that that affiliated club's membership of Gymnastics Victoria be suspended or terminated in accordance with the relevant constitution or rules; and/or
- g) Any other form of discipline that the national body or peak organisation considers to be reasonable and appropriate.

### **Factors to consider**

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

- a) Nature and seriousness of the breach;
- b) If the person knew or should have known that the behaviour was a breach;



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- c) Level of contrition;
- d) The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;
- e) If there have been any relevant prior warnings or disciplinary action;
- f) Ability to enforce discipline if the person is a parent/guardian or spectator (even if they are bound by this policy); and/or
- g) Any other mitigating circumstances.

## **PART B – CHILD SAFE AND CHILD FRIENDLY POLICY**

### **Introduction**

1. MYC Gymnastics expects children and young people who participate in its activities to have a safe and happy experience. MYC Gymnastics supports and respects children, young people, staff, volunteers and participants.
2. The aim of this policy is to protect the safety of children in our care and prevent abuse occurring, and in the event that allegations are raised in relation to child abuse, to ensure that the allegations are properly addressed. All complaints are treated seriously and are fully investigated and handled with maximum confidentiality and discretion.
3. Should a person wish to make any enquiries in relation to this Policy, please contact MYC Gymnastics and ask to speak to the Member Protection Information Officer.

### **Policy Statement**

1. MYC Gymnastics is committed to providing the highest level of membership service. This includes protecting members' privacy, promotion of positive behaviours and attitudes, and protecting the health safety and wellbeing of members, particularly children.
2. Specifically, MYC Gymnastics considers that the health, safety and well-being of children takes priority over all other competing considerations. MYC Gymnastics considers that this is necessary to ensure the health, safety and welfare of all members and to protect the image and reputation of the sport, the organisation and its members.
3. MYC Gymnastics has a zero tolerance to child abuse and is committed to promoting and protecting children from abuse and neglect to the greatest extent possible. All children have equal rights to protection from child abuse, regardless of their sex, religion, disability or sexual orientation etc.
4. Child protection is a shared responsibility between MYC Gymnastics, its employees, workers, contractors, parents/guardians, coaches, spectators, volunteers and members of the gymnastics community. Everyone that participates in MYC Gymnastics activities is responsible for the care and protection of children and reporting information about child abuse.
5. MYC Gymnastics supports the active participation of all children. It listens to their views, respects what they say and involves them when making decisions, where appropriate, especially about matters that will directly affect them (including their safety).
6. MYC Gymnastics is also committed to the cultural safety of Aboriginal children and those from culturally and/or linguistically diverse backgrounds and to providing a safe environment for children living with a disability.
7. MYC Gymnastics promotes fairness and consideration for all staff, volunteers and participants.

### **Scope**

1. This policy applies to participants, parents, spectators, contractors, officials, coaches, judges and staff throughout all MYC Gymnastics events and activities.
2. This policy will continue to apply retrospectively to a person or Member following the cessation of their association or employment with MYC Gymnastics.
3. MYC Gymnastics is supported by a wide network of clubs across Victoria. Affiliation with Gymnastics Victoria is conditional on an affiliated club implementing and complying with this Policy. Failure to implement and comply with this policy may cause Gymnastics Victoria to end its affiliation with the club as it is a breach of the clubs obligations.

### **Related documents & legislative requirements**

This Policy must be read in conjunction with:

- a. The law of the Commonwealth and Victoria including but not limited to:
  - i. Children, Youth and Families Act 2005 (Vic)
  - ii. Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015 (Vic)
  - iii. Crimes Act 1958 (Vic); and
  - iv. Working with Children Act 2005 (Vic)
- b. Gymnastics Victoria policies and procedures, including but not limited to :
  - i. Privacy policy;
  - ii. Constitution;
  - iii. Codes of behaviour;
  - iv. Member Protection Policy;
  - v. Grievance and Discipline procedures; and
  - vi. Photographic Policy and Authorised Photographers Agreement
- c. MYC Gymnastics policies and procedures, including but not limited to:
  - i. Privacy policy;
  - ii. Constitution;
  - iii. Codes of behaviour;
  - iv. Member Protection Policy;
  - v. Grievance and Discipline procedures; and
  - vi. Photographic Policy and Authorised Photographers Agreement

## Definitions

1. **Child** means a person involved in the activities of MYC Gymnastics and under the age of 18 years unless otherwise stated under the law applicable to the child.
2. **Child protection** means any responsibility, measure or activity undertaken to safeguard children from harm.
3. **Sexual offence** means any act which exposes a child to, or involves a child in, sexual processes beyond his or her understanding or contrary to accepted community standards. Sexually abusive behaviours can include the fondling of genitals, masturbation, oral sex, vaginal or anal penetration by a penis, finger or any other object, fondling of breasts, voyeurism, exhibitionism, and exposing the child to or involving the child in pornography. It includes child grooming, which includes actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child (or child's carer, family or supervisor) to lower the child's inhibitions and prepare them for engagement in a sexual offence.
4. **Mandatory reporter** means a person who is legally required to make a report to the Department of Human Services or the Police if they form a belief on reasonable grounds that a child is in need of protection. It includes teachers, principals, registered psychologists, nurses, doctors and midwives.

## Recognising and reporting child abuse

1. A person may, in the course of participating in the sport or other activities of MYC Gymnastics or carrying out their work, form a belief on reasonable grounds that a child is in need of protection from child abuse.
2. If a person is concerned about an immediate risk to a child's safety, the person must phone "000" as soon as practicable.
3. **Child abuse** can be divided into four categories:
  - a. **Physical abuse:** occurs when a child has suffered, or is likely to suffer, significant harm as a result of a physical injury.
  - b. **Sexual abuse:** occurs when a child has suffered, or is likely to suffer, significant harm as a result of sexual abuse, such as when a child is exploited, or used by another for his or her sexual gratification or sexual arousal, or for that of others.
  - c. **Emotional and psychological abuse:** occurs when a child has suffered, or is likely to suffer, emotional or psychological harm of such a kind that the child's emotional or intellectual development is likely to be significantly damaged; and
  - d. **Neglect:** occurs when a child's physical development or health has been, or is likely to be significantly damaged. It refers to an omission, such as depriving a child of food, clothing, warmth, hygiene, intellectual stimulation, supervision and safety, attachment to and affection from adults, or medical care.

4. Child abuse includes any actions that results in actual or potential harm to a child, in circumstances where the child's parents have not protected, or are unlikely to protect, the child.
5. **Mandatory reporters:** select classes of people in the community (including teachers, nurses and doctors) are required by law to report to the Child Protection Unit of the Department of Health and Community Services (DHHS) where they have formed a belief, on reasonable grounds, that a child is in need of protection because they have suffered (or are likely to suffer) significant harm due to physical or sexual abuse.
6. This report must be made as soon as practicable, and after each occasion where he or she becomes aware of a further reasonable ground for the belief.
7. **Reasonable grounds for belief** is formed if a reasonable person believes that:
  - a. The child is in need of protection
  - b. The child has suffered or is likely to suffer significant harm as a result of physical or sexual injury; and
  - c. The child's parents are unable or unwilling to protect the child.
8. To form a reasonable belief, you should consider and objectively assess all the relevant facts, such as the source of the allegation and how it was communicated, the nature of and details of the allegation, whether there are any other related matters known regarding the alleged perpetrator.
9. A 'reasonable belief' or a 'belief on reasonable grounds' is not the same as having proof, but is more than mere rumour or speculation.
10. You will have reasonable grounds to notify if:
  - a. A child states that they have been physically or sexually abused;
  - b. A child states that they know someone who has been physically or sexually abused (sometimes the child may be talking about themselves);
  - c. Someone who knows the child states that the child has been physically or sexually abused;
  - d. Professional observation of the child's behaviour or development leads a professional to form a belief that the child has been physically or sexually abused or is likely to be abused; or
  - e. Signs of abuse lead to a belief that the child has been physically or sexually abused.
11. **Voluntary reporters;** in addition to the mandatory reporting obligations above, any person who believes on reasonable grounds that a child is in need of protection from any form of child abuse, may disclose that information to the Police or DHHS.

12. **Reporting child sexual abuse;** if a person receives information that leads them to form a reasonable belief that a sexual offence has been committed in Victoria against a child (under the age of 16 years) by another person (of or over the age of 18 years), the person has a legal obligation to disclose that information to the Police as soon as is practicable. Individuals who fail to comply with this obligation under the Crimes Act of 1958 (Vic) may be subject to a penalty of 3 years imprisonment.
13. **Gymnastics Victoria's approach to reports of child abuse;** Gymnastics Victoria supports and encourages a person to make a report to the Police or DHHS if they form a belief on reasonable grounds that a child is in need of protection, or they are concerned about the safety, health or wellbeing of a child.
14. Any person that makes a report in good faith in accordance with their reporting obligations (whether mandatory or discretionary) will be supported by Gymnastics Victoria, and will not be penalised by Gymnastics Victoria for making the report.
15. If a person is uncertain as to whether they should make a report to an external authority in relation to the safety of a child, they may speak to the Gymnastics Victoria CEO or Gymnastics Victoria MPIO for guidance and information. If in doubt, ask for assistance.
16. If an allegation is made against a member of staff or volunteer, Gymnastics Victoria will follow the reporting procedure and take all steps to ensure that the safety of the child is paramount. An initial step will involve the withdrawal of the accused person from active duty, which could entail standing down, reassignment to a role without direct contact with children, working under closer supervision during an investigation working from home, or any other measures deemed appropriate depending on the seriousness of the allegation.
17. Gymnastics Victoria will investigate allegations of inappropriate conduct against a child in accordance with procedural fairness and will handle the allegations in a confidential manner to the greatest extent possible.
18. Gymnastics Victoria will cooperate with the directions of the Police and/or DHHS in relation to any investigation conducted by these authorities.
19. Gymnastics Victoria will keep a register of any allegations regarding inappropriate conduct.

## **CHILD SAFE AND CHILD FRIENDLY GUIDELINES**

### **1. Change Rooms**

Adult officials, regardless of gender, should only enter change rooms if accompanied by another adult. Prior to entering change rooms, officials should notify the people in the change room of their intended entrance. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.



## **2. Hotel rooms and other accommodation**

No official should be alone in the room of an athlete without the presence of another adult. The doors should always be open. Should it be necessary for an official to be alone in the room of an athlete, the Team Manager or other responsible official must be informed. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

## **3. Travel – General**

All team members over 18 years of age retain an overriding responsibility for the welfare of all athletes they accompany during team travel activities. They must maintain a 'duty of care' towards the athletes and they must avoid unaccompanied and unobserved activities with persons less than 18 years of age whenever possible. For the avoidance of doubt this requirement does not apply to parents/legal guardians when in a room with their child.

## **4. Sexual relationships while on tour**

During all team travel activities officials must not, under any circumstances engage in conduct of a sexual nature with an athlete. Improper conduct of a sexual nature by an official towards an athlete includes any form of child sexual abuse (defined within the Member Protection Policy) as well as but not limited to the following:

- a) Inappropriate conversations of a sexual nature;
- b) Obscene language of a sexual nature;
- c) Suggestive remarks or actions;
- d) Jokes of a sexual nature;
- e) Obscene gestures;
- f) Unwarranted and inappropriate touching;
- g) Sexual exhibitionism;
- h) Use of any IT device to show/watch offensive material; and
- i) Any other action that could lead to an athlete being physically, emotionally or psychologically harmed.

## **5. Adults under investigation**

Adults under investigation in relation to a matter involving child abuse, or any matter which has the potential to render their Working With Children Check (WWCC) (or if based in another State the equivalent requirement), assessment notice withdrawn or a detention order imposed, may be prohibited, by MYC Gymnastics from participating in MYC Gymnastics activities.

## **6. Coach assistance – spotting**

Spotting is a necessary part of gymnastics that is required for the safety of the athletes. All coaches must ensure that all physical contact with the athletes which occurs when 'spotting' is appropriate for the situation and necessary for the athlete's safety. It is strongly recommended that coaches ensure that there are other adults present whenever coaching and take care to explain the spotting procedure to the child gymnast.

## **7. Engaging new personnel**

1. The minimum standard for background checks of employees and volunteers of MYC Gymnastics and its members is the law as it applies in Victoria.
2. MYC Gymnastics undertakes a comprehensive recruitment and screening process for all staff and volunteers which aims to:
  - a. Promote and protect the safety of all children who participate in the activities of MYC Gymnastics;
  - b. Identify and recruit the safest most suitable candidates who share MYC Gymnastics values and commitment to protect children; and
  - c. Prevent a person from working at MYC Gymnastics if they pose an unacceptable risk to children.
3. MYC Gymnastics requires staff and volunteers to pass the recruitment and screening process prior to commencing their engagement with MYC Gymnastics.
4. As part of the screening and recruitment process, an applicant must provide appropriate evidence (e.g. WWCC or other state equivalent and/or Police check) to show that they are suitable to work with children and young people in a recreational setting.
  - a) All MYC Gymnastics staff and committee require a WWCC and completion of Gymnastics Victoria online child protection course.
  - b) Volunteer event personnel must have a WWCC.
5. The type of evidence that an applicant is required to provide to MYC Gymnastics will vary depending on the type of position that they are applying for. However, an applicant will not be offered a position until they provide the required evidence to MYC Gymnastics.
6. MYC Gymnastics will exercise discretion and may require applicants to provide a Police check in accordance with the law and as appropriate, before they commence their engagement and during their time with MYC Gymnastics in regular intervals.
7. MYC Gymnastics will undertake thorough reference checks prior to engaging any personnel.

8. Once engaged, MYC Gymnastics will provide staff and volunteers with access to the policy and staff and volunteers must review and acknowledge their understanding of the policy.
9. Gymnastics Victoria requires that all affiliated clubs ensure all staff and volunteers (including coaches and any officials) likely to have contact with gymnasts (and other children) have a current working with children check, which needs to be signed off annually as part of the affiliation process. Clubs which do not comply with their legal obligations will be found to have not complied with the Gymnastics Victoria affiliation requirements and will be disaffiliated.
10. Gymnastics Victoria requires all affiliated club personnel including owners, Committee Members, volunteers, coaches and judges and anyone else who has contact with children to possess a valid working with children check. Any costs associated with gaining a valid working with children check is as per each club's discretion.

#### **8. Risk management approach**

Child safety is part of MYC Gymnastics' overall risk management approach.

#### **9. Policy breaches**

It is a breach of this policy for any person or organisation to which this policy applies, to have been found to have done anything contrary to this policy. Any persons who may breach this policy are subject to either Part C of the Member Protection Policy, or the MYC Gymnastics discipline process, whichever is relevant.

#### **10. Policy promotion**

1. This policy will be made available to all members via the MYC Gymnastics website at [www.myc.gymnastics.org.au](http://www.myc.gymnastics.org.au)
2. This policy will be communicated to all staff and committee members.

#### **11. Review process**

This policy will be reviewed annually, in addition to the regular review of this policy; recommendations for changes to the policy may be submitted to the Committee of management for consideration at any time. In the event that changes are accepted, the policy will be updated, and circulated to all stakeholders via the webpage and other appropriate communication channels.

## **PART C – CODES OF BEHAVIOUR**

### **GENERAL CODE OF BEHAVIOUR**

Members or participants of MYC Gymnastics must meet the following requirements in regard to their conduct during any activity held by/attended by MYC Gymnastics.

- a) Respect the rights, dignity and worth of others, and value their ideas and opinions;
- b) Conduct themselves in line with MYC Gymnastics values;
- c) Be fair, considerate and honest in all dealings with others;
- d) Be professional in, and accept responsibility for, their actions;
- e) Make a commitment to providing quality service;
- f) Maintain a duty of care to others involved in MYC Gymnastics or the club's programs (where a duty of care applies);
- g) Comply with MYC Gymnastics' club guidelines, including this Policy, regarding appropriate physical contact with children;
- h) Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as the words and actions of members of MYC Gymnastics set an example.
- i) Avoid unaccompanied and unobserved activities with children to the greatest extent possible;
- j) Establish and maintain an environment that is safe for the conduct of activities and for children;
- k) Show concern and caution towards others who may be sick or injured;
- l) Be a positive role model;
- m) Be aware of, and maintain an uncompromising adherence to, MYC Gymnastics values, rules and policies, including this policy;
- n) Understand the repercussions if they breach, or are aware of any breaches of, this code of behaviour; and
- o) Operate within the rules of the sport of gymnastics including national and international guidelines which govern Gymnastics Victorian and affiliated clubs.

Members of MYC Gymnastics must not:

- a) Shame, humiliate, oppress, belittle or degrade any person, particularly children;

- b) Unlawfully discriminate against any child;
- c) Engage in open discussions of a mature or adult nature in the presence of children;
- d) Engage in any activity with a child that is likely to physically or emotionally harm them;
- e) Initiate unnecessary physical contact with a child, or do things of a personal nature for them that they can do for themselves;
- f) Be alone with a child unnecessarily and for more than the shortest possible time;
- g) Develop a 'special' relationship with a specific child for their own needs;
- h) Show favouritism to children through the provision of gifts or inappropriate attention;
- i) Arrange contact, including online contact, with children outside the organisation's programs or activities;
- j) Have contact with children while under the influence of alcohol or illegal drugs;
- k) Use inappropriate language in the presence of children;
- l) Do anything that brings MYC Gymnastics into disrepute or engage in conduct that is unbecoming;
- m) Engage in any form of harassment of others;
- n) Use their involvement with MYC Gymnastics to promote their own beliefs, behaviours or practices where these are inconsistent with those of MYC Gymnastics; and
- o) Do anything that brings the Sport of Gymnastics or Gymnastics Victoria into disrepute.

## **COACHES CODE OF ETHICS**

In addition to MYC Gymnastics General Code of Behaviour, coaches must meet the following requirements in regard to their conduct during any activity held or sanctioned by MYC Gymnastics, Gymnastics Victoria, Gymnastics Australia or an affiliated club in their role as a coach appointed by Gymnastics Victoria, Gymnastics Australia or an affiliated club.

**Abide by the rules of Gymnastics Australia as set forth in its Constitution, By-Laws, policies, rules and regulations.**

- Follow the procedures for enforcement of the Code of Ethics.
- Accept any judgements made; and
- Use the established procedures for challenging a competitive result, contesting a team selection decision, complaining about the conduct of another member, or attempting to change policy of Gymnastics Australia.
- Do nothing that brings Gymnastics Australia or the sport of gymnastics into disrepute.

**Direct your observations and recommendations regarding all aspects of gymnastics to the appropriate persons for the betterment of the sport.**

- Be constructive with criticisms and direct comments and observations to the relevant individuals and organisations, to avoid gossip, innuendo and malicious comment.
- Respect the efforts of appointed and elected representatives of Gymnastics Australia.

**Represent yourself and your coaching status in an honest and professional manner, without bringing the coaching profession of Gymnastics Australia into disrepute.**

- Use your accreditation status and Technical Membership of GA to represent your ability in an honest manner, not to gain unwarranted favours.
- Be professional in, and accept responsibility for your actions.
- Extend professional courtesy to other coaches, athletes and their parents by keeping them informed in matter relevant to athlete's training programs.
- Abide by and respect the regulations governing sport and the organisation and individuals administering those regulations.
- Be a role model for your sport and the athletes.
- Avoid the use of derogatory language

- Respect the rights, dignity and worth of every human being within the conduct of your involvement in gymnastics.

**Exercise a standard of care consistent with your competence and obligations as a coach.**

- Show concern for the health, safety and welfare of athletes and colleagues.
- Coach within the limits of your competence as a coach.
- Follow Gymnastics Australia safety guidelines in respect of the duty of care owed to the athlete.
- Provide planned and sequential training programs based on the individual development needs of athletes.
- Modify the training program for injured athletes based on appropriate medical advice when required.
- Provide a safe environment for participants in training and competition.

**Provide a quality service to one's own athletes and to the sport of gymnastics.**

- Maintain or improve National Coaching Accreditation Scheme accreditation.
- Seek continual improvement through performance appraisal and ongoing coach education;
- Honour the responsibilities given to a coach by keeping all relevant qualifications up to date;
- Work to ensure athletes' time spent with a coach is a positive experience

**Promote and assist in the development of the coaching profession**

- Assist others to develop good attitudes, skills and knowledge relating to the sport; and
- Promote and assist in the education of other coaches.

**Put athletes' welfare first, making decisions based on the best interests of their athletes sporting, education and vocational careers**

- Acknowledge the individual talents and potential of athletes; and
- Maintain a balanced emphasis of sporting involvement within educational and career objectives

**Show leadership, and support efforts to remove the abuse of drugs in sport**

- Abide by the regulations of the relevant national and international sporting and government bodies; and
- Respect the health and dignity of athletes to compete on the basis of their abilities; within the rules of the sport of gymnastics.



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**Encourage, by example, the removal of any form of personal abuse or inappropriate discrimination**

- Refrain from verbal, physical or emotional abuse;
- Refrain from any form of sexual harassment towards athletes and colleagues;
- Refrain from using the influence of a coaching position to encourage inappropriate intimacy between coach and athlete;
- Refrain from any discriminatory practices against athletes; and
- Be alert to any forms of abuse towards athletes from other sources whilst they are in the coach's care.

**Ensure physical contact with athletes is appropriate and necessary for the athletes' skill development**

- Ensure spotting methods and philosophy are consistent with established gymnastics principles;
- Ensure spotting is used only to facilitate learning or safe performance;
- Do nothing that brings MYC Gymnastics or the sport of gymnastics into disrepute.



## **JUDGES CODE OF ETHICS**

In addition to the MYC Gymnastics General Code of Behaviour, judges must meet the following requirements in regard to their conduct during any activity held or sanctioned by MYC Gymnastics, Gymnastic Australia, Gymnastics Victoria or an affiliated club;

In order to present a professional image and to judge objectively and accurately all judges should:

### **In General:**

- Understand and abide by the Judges' Oath.
- Be fully conversant with the International Gymnastics Federation Code of Points and/or any other published rules and regulations pertaining to the standard of gymnastics being judged.
- Actively maintain technical knowledge through ongoing review of the Code of Points, technical publications, video tapes and gym floor participation.
- Attend all pre-competition judges' meetings.
- Dress in a tidy fashion befitting the status and image of a judge.
- Be punctual for all official events.
- Avoid the use of derogatory language.
- Be prepared to counsel coaches regarding the athletes' performance after the competitions and
- Do nothing that brings MYC Gymnastics or the sport of gymnastics into disrepute.

### **When travelling with a team:**

- Report any significant outcomes from the pre-competition meetings to the team coach.
- Be available to attend training sessions to advise on judging matters.
- Emphasise the spirit of the sport rather than the errors.
- Compliment and encourage all competitors.
- Be accountable for one's own judging performance.
- Be a current Technical Member of Gymnastics Australia/Gymnastics Victoria.

### **At competitions:**

- Dress in the standard judge's uniform for competition.



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- Be prepared for the competition by having all personal judging equipment and accessories readily available and by being conversant with the apparatus and exercises.
- Be co-operative with competition organisers, floor managers, announcers and head judges.
- Be quick and accurate in determining scores.
- Be co-operative in judges' conferences and assist the head judge to arrive at the final score.
- Be prepared to justify scores in a judges' conference.
- Be consistent, objective and courteous at all times.
- Do nothing that brings MYC Gymnastics or the sport of gymnastics into disrepute.

## **PARTICIPANTS CODE OF BEHAVIOUR**

In addition to MYC Gymnastics General Code of Behaviour, participants must meet the following requirements in regard to their conduct during any activity held or sanctioned by MYC Gymnastics, Gymnastics Australia, Gymnastics Victoria or any affiliated club

- Respect the rights, dignity and worth of fellow participants, coaches, officials and spectators;
- Do not tolerate acts of aggression;
- Respect the talent, potential and development of fellow participants and competitors;
- Care for and respect the equipment provided to participants as part of their program;
- Be frank and honest with their coaches concerning illness and injury and their ability to train fully within the program requirements;
- At all times avoid intimate relationships with coaches;
- Conduct themselves in a professional manner relating to language, temper and punctuality;
- Avoid the use of derogatory language;
- Maintain high personal behaviour standards at all times;
- Abide by the rules and respect the decision of the official, making all appeals through formal process and respecting the final decision;
- Be honest in their attitude and preparation to training. Work equally hard for themselves and their team;
- Cooperate with coaches and staff in the development of programs to adequately prepare them for competition at the highest level; and
- Do nothing that brings MYC Gymnastics or the sport of gymnastics into disrepute.

## **ADMINISTRATORS AND VOLUNTEER CODE OF BEHAVIOUR**

In addition to MYC Gymnastics General Code of Behaviour, administrators and volunteers must meet the following requirements in regard to their conduct during any activity held or sanctioned by MYC Gymnastics, Gymnastics Australia, Gymnastics Victoria or any affiliated club and in their role as an administrator or volunteer of MYC Gymnastics, Gymnastics Australia, Gymnastics Victoria or any affiliated club.

- Administrators involve parents, gymnasts and coaches in leadership, evaluation and decision making where appropriate.
- Give all people equal opportunities to participate.
- Create pathways for people to participate in the sport of gymnastics, not just as an athlete but as a coach, judge, administrator or other support staff.
- Ensure that rules, equipment and training schedules are modified to suit the age, ability and maturity level of participants;
- Provide quality supervision and instruction for junior participants;
- Remember that people participate for their enjoyment and benefit. Do not overemphasise awards;
- Help coaches and judges highlight appropriate behaviour and skill development, and help improve the standards of coaching and judging;
- Ensure that all involved in the sport of gymnastics emphasise fair play, not winning at all costs;
- Set an example through positive supportive behaviour and comments;
- Support implementation of all policies of MYC Gymnastics, Gymnastics Australia and Gymnastics Victoria;
- Make it clear that any abuse is unacceptable and will result in disciplinary action;
- Avoid the use of derogatory language;
- Respect the rights, dignity and worth of every person; and
- Do nothing that brings MYC Gymnastics or the sport of gymnastics into disrepute.

## **MYC GYMNASTICS COMMITTEE OF MANAGEMENT CODE OF CONDUCT AND DECLARATION OF INTEREST STATEMENT**

Committee members of MYC Gymnastics will;

### **General Conduct**

- At all times conduct themselves with the courtesy and respect of others; and
- Comply with the MYC Gymnastics model rules.

### **Duties**

- Discharge their fiduciary duties in the best interests of the members of MYC Gymnastics as a whole;
- Acknowledge that they represent only the committee of MYC Gymnastics and do not, and cannot, represent other or individual constituents including any with which they have been previously involved and or associated;
- Conduct themselves independently and free from undue influence at all times;
- Act in good faith at all times;
- Exercise due care and diligence in all matters; and
- Meet MYC Gymnastics Federal and State statutory obligations.

### **Conflicts**

- Avoid any conflict of interest which may arise when;
  - A committee member or his/her immediate family or business stand to gain financially from any business dealings, programs or services provided to MYC Gymnastics;
  - A committee member offers a professional service to MYC Gymnastics;
  - A committee member stands to gain professionally or personally from any knowledge derived from his/her committee position if that knowledge is used for personal or professional advantage; and/or
  - A committee member holds a position in another gymnastics organisation which deals with MYC Gymnastics.
- Disclose upon election, and annually thereafter, during their term of appointment all interests in the MYC Gymnastics conflict of interest register;
- Disclose any conflict or potential conflict as they arise; and
- During the course of a committee meeting or any other meeting involving MYC Gymnastics interests, seek the consent of the meeting to address the meeting subject to disclosure of any



MYC Gymnastics  
Mornington Youth Club Inc.  
A.B.N. 97 816 625 229  
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Mornington Vic 3931  
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Email [admin@mycgymnastics.org.au](mailto:admin@mycgymnastics.org.au)  
[www.myc.gymnastics.org.au](http://www.myc.gymnastics.org.au)

conflict of interest. The request will be considered by the committee which may or may not allow the committee member to speak and may or may not require the committee member to absent himself/herself from the meeting room.

#### **Further obligations**

- Not act independently of MYC Gymnastics without the consent of the committee of management;
- Participate fully and constructively in the deliberations and decisions of the committee of management and communicate openly to achieve MYC Gymnastics goals; and
- Do nothing that brings MYC Gymnastics or the sport of gymnastics into disrepute.

## **PARENTS/GUARDIAN CODE OF BEHAVIOUR**

Parents/guardian of a participant in any activity held by, or under the auspices of, MYC Gymnastics, Gymnastics Victoria or an affiliated club must meet the following requirements in regard to their conduct during any such activity or event

- Respect the rights, dignity and worth of others;
- Remember that their child participates in sport for their own enjoyment, not that of the parent/guardian;
- Focus on their child's efforts and performance rather than winning or losing;
- Never ridicule or yell at their child or other children for making a mistake or losing a competition;
- Show appreciation for good performance by all participants (including opposing participants);
- Show appreciation for volunteers, coaches, judges and administrators;
- Demonstrate a high degree of individual responsibility especially when dealing with or in the vicinity of persons under 18 years of age, as the words and actions of parents/guardians set an example;
- Respect officials decisions and teach children to do likewise;
- Do not physically or verbally abuse or harass anyone associated with the sport of gymnastics (participant, coach, judge, administrator etc.). Report those that do to the relevant party;
- Be a positive role model;
- Allow fellow parents the respect they deserve in their viewing or involvement in their child's participation;
- Avoid the use of derogatory language;
- Be aware of the repercussions that any breaches of this code of behaviour may incur; and
- Do nothing that brings MYC Gymnastics or the sport of gymnastics into disrepute.

## **SPECTATOR CODE OF BEHAVIOUR**

Spectators of any activity held by, or under the auspices of, MYC Gymnastics, Gymnastics Victoria or an affiliated club must meet the following requirements in regard to their conduct during any such activity or event

- Respect the rights, dignity and worth of others;
- Focus on their child's efforts and performance rather than winning or losing;
- Never ridicule or yell at their child or other children for making a mistake or not winning a competition;
- Show appreciation for good performance by all participants (including opposing participants);
- Demonstrate a high degree of individual responsibility especially when dealing with or in the vicinity of persons under 18 years of age, as the words and actions of parents/guardians set an example;
- Respect officials decisions and teach children to do likewise;
- Do not physically or verbally abuse or harass anyone associated with the sport of gymnastics (participant, coach, judge, administrator etc.). Report those that do to the relevant party;
- Be a positive role model;
- Review the photography policy for the appropriate event, club or state body before taking photos or videos of participants;
- Allow fellow spectators the respect they deserve in viewing of the class/event;
- Avoid the use of derogatory language;
- Be aware of the repercussions that any breaches of this code of behaviour may incur; and
- Do nothing that brings MYC Gymnastics or the sport of gymnastics into disrepute.



## PART D – SCREENING/WORKING WITH CHILDREN CHECK REQUIREMENTS

### Background

1. MYC Gymnastics is committed to providing a safe environment for children. As part of this, we will conduct rigorous screening processes, and do everything possible to only recruit staff and volunteers who do not pose a risk to children.
2. Child protection is about keeping children safe from harm/abuse. Child abuse is illegal, and all States and Territories have their own systems and laws that cover screening and/or reporting and investigation of cases of child abuse.
3. Working with Children Checks (**WWCC**) laws and Victorian Institute of Teaching (VIT) rules aim to prevent people who pose a risk from working with children as paid employees or volunteers. WWCC laws are currently in place in New South Wales, Queensland, Western Australia, Victoria, the Northern Territory, the Australian Capital Territory, and South Australia. WWCC laws have also recently been introduced in Tasmania. Registered teachers in Victoria are screened independently by the VIT.
4. WWCC laws require individuals involved in areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with children. Employment screening and WWCC can involve criminal history checks, signed declarations, referee checks and other appropriate checks that assess a person's suitability to work with children. In some states this also involves relevant findings from disciplinary proceedings. There are also requirements placed on organisations.
5. MYC Gymnastics will meet the requirements of the relevant State or Territory WWCC laws.
6. Please be aware that individuals travelling with children and young people to another State or Territory in a work related capacity must comply with the screening requirement of that particular State or Territory. For example, if a State association of club takes participants under the age of 18 into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with NSW WWCC laws.
7. State WWCC requirements apply regardless of any national, state or club Member Protection Policy.
8. The following attachments provide:
  - a. Summary information on State and Territory WWCC requirements and where to obtain more information and relevant forms; and
  - b. Gymnastics Victoria's Member Protection Declaration (for all States/Territories except NSW which requires individuals to complete Prohibited Employment Declaration provided by the NSW Commission for Children and Young People).

### **Working with children child protection requirements**

- a) WWCC aim to create a child-safe environment and to protect children involved in the sport of gymnastics from physical and sexual harm.
- b) WWCC assess the suitability of people to work with children can involve:
  - i. Criminal history checks;
  - ii. Signed declarations;
  - iii. Referee checks; and
  - iv. Other relevant background checks to assess a person's suitability to work with children.
- c) WWCC requirements vary across Australia. Fact Sheets for each State and Territory are available on the Play by the Rules website: [www.playbytherules.net](http://www.playbytherules.net)
- d) Detailed information, including the forms required to complete a WWCC are available from the relevant agencies in each State and Territory:

#### **Australian Capital Territory**

Contact the office of Regulatory Services

[www.ors.act.gov.au/working\\_with\\_vulnerable\\_people\\_wwvp](http://www.ors.act.gov.au/working_with_vulnerable_people_wwvp)

#### **New South Wales**

Contact the office of the Children's Guardian

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

#### **Northern Territory**

Contact the Northern Territory Screening Authority

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

#### **Queensland**

Contact the Public Safety Business Agency about the "Blue Card" system

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

#### **South Australia**

Contact the Department for Education and Child Development for Information

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

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

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

#### **Tasmania**

Contact the Department of Justice

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

#### **Victoria**

Contact the Department of Justice

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



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Mornington Vic 3931  
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[www.myc.gymnastics.org.au](http://www.myc.gymnastics.org.au)

#### **Western Australia**

Contact the Department for Child Protection  
[www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au)

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

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

In certain jurisdictions, temporary, time limited exemptions from WWCC may be available for interstate visitors with WWCC in their home state.

The laws providing interstate exemptions are not consistent across Australia.

If a MYC Gymnastics employee or volunteer is travelling interstate to do work that would normally require a WWCC, they must check the relevant requirements of that State or Territory.

## **Policy statement**

MYC Gymnastics Smoke Free Policy provides for a healthy, smoke free environment. The Policy applies to all people within the MYC Gymnastics venue including employees, members, participants, volunteers and visitors.

## **Purpose**

The aim of MYC Gymnastics Smoke Free Policy is to provide a smoke free environment for non-smokers and a pleasant, cleaner environment for all. The specific goals of the policy are to:

- Reduce the health risks associated with smoking and exposure to environmental tobacco smoke.
- Provide a healthier, cleaner and safer work environment.
- Decrease the potential risk of litigation associated with discomfort or disease caused by environmental tobacco smoke in the workplace, thus avoid the potential costs associated with litigation.

## **Rationale**

Legislation and the legal duty of care provide clear reasons to have a totally smoke free club. Going totally smoke free will help MYC Gymnastics comply with these responsibilities and provide a healthier club environment.

Other rationale includes;

- Common law: the club has a legal duty to ensure that employees, volunteers, members, spectators, players, officials and visitors are not exposed to potentially harmful situations.
- Role Modelling: can have a significant impact on the junior members of the club. A smoke free policy can make smoking less visible and less socially acceptable, whilst creating a healthier and more attractive environment for new members and sponsors.
- Effects on others: Second-hand smoke is considered irritating and hazardous to the health of other people, even when outdoors.
- Smoke free Areas: may support people who are trying to quit or reduce their cigarette consumption. They also help reduce cigarette butt litter and reduce fire risks. Accordingly, the following smoke free policy has been developed by MYC Gymnastics

## **Definitions**

- Member; being an athlete member of MYC Gymnastics or any person who has paid for membership/classes with MYC Gymnastics. A member is also a coach, judge, volunteer and/or committee member.
- Visitors; being spectators who are family or friends of Members, competing gymnasts and contractors and other work-related personnel.

## **Scope**



MYC Gymnastics  
Morrington Youth Club Inc.  
A.B.N. 97 816 625 229  
350 Dunns Road (PO Box 102)  
Morrington Vic 3931  
Phone (03) 5975 3155  
Email [admin@mycgymnastics.org.au](mailto:admin@mycgymnastics.org.au)  
[www.mycgymnastics.org.au](http://www.mycgymnastics.org.au)

- The Policy applies to all MYC Gymnastics facilities including buildings, vehicles and outdoor areas within MYC Gymnastics boundaries. The boundaries will be clearly marked with signs "Welcome to the Club's Smoke Free Environment - NO smoking beyond these signs". The policy applies to all people within the Club's facilities including employees, members, participants, officials, coaches, volunteers, spectators and visitors.
- Members, guests and representatives of MYC Gymnastics are to refrain from smoking during events, even when at a non MYC Gymnastics venue.

### **Policy education**

Multiple modes of communication will be utilised to increase awareness of the policy amongst MYC Gymnastics staff, members and visitors. The following modes of communication will ensure ongoing awareness:

- Brochures will be available at all of MYC Gymnastics sites and will be located in reception areas. The brochure will also be included in all Staff Induction Kits and Member Registration Kits. All members will be informed of the Smoke Free Policy and provided with the smoke free brochure. The brochure will provide information about the policy and policy rationale. It will also provide information about:
  - the risks associated with Environmental Tobacco Smoke exposure and smoking;
  - quitting methods and products; and
  - Contacts for further information regarding the policy and quitting smoking.
- Posters will be displayed around all of MYC Gymnastics sites.
- Advertisements for MYC Gymnastics job positions, and tenders for contractors, will include a statement regarding the Smoke Free Policy.

### **Policy compliance**

There is strong community support for banning smoking at sporting venues. This means most people will voluntarily comply with the smoking ban and expect others to do so. Policy compliance will be facilitated through education, publicity, widespread promotion and reiteration of the Policy.

- For staff, non-compliance will lead to the same disciplinary actions as for all other of MYC Gymnastics policies. All staff members in supervisory positions are accountable for enforcing the Policy amongst their staff.
- Those staff that choose to smoke may only do so in their designated breaks, provided they are not on MYC Gymnastics property or in club uniform.
- All staff members are responsible for encouraging adherence to the Policy amongst visitors, but are not empowered to enforce compliance. Upon seeing visitors smoking within the

boundaries of any of MYC Gymnastics sites, staff members are requested to approach the person who is smoking in a non-smoking area and; 1. Assume that the person is unaware of



MYC Gymnastics  
Mornington Youth Club Inc.  
A.B.N. 97 816 625 229  
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Mornington Vic 3931  
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the policy. 2. Politely ask them to refrain from smoking [or move to a smoking area] and remind them about the smoke free legislation/policy. This procedure may not be effective in some cases, and so a common sense approach is recommended.

- All staff members are responsible for educating their members about the Smoke Free Policy and encouraging adherence to the Policy.

### **Confidentiality and reporting**

- Breaches of this Policy must be reported to MYC Gymnastics management within 14 days of any occurrence.
- Breaches of this Policy must be kept confidential and disclosure to any third party beyond MYC Gymnastics management is not permitted.

### **Policy outcomes**

Anticipated outcomes of MYC Gymnastics Smoke Free Policy are as follows:

- Provision of cleaner environment for all people at MYC Gymnastics venues.
- Widespread awareness of the Policy purpose and rationale.
- Promotion of MYC Gymnastics as a leading example of a healthy and progressive organisation.

## **PART F – PHOTOGRAPHIC AND FILMING POLICY**

### **Definitions**



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Mornington Youth Club Inc.  
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Photography includes but is not limited to still camera, mobile phone photos and any form of still captured images.

Filming includes but is not limited to video, mobile phone video, DVD and any form of moving captured images.

### **Introduction**

This policy applies to the MYC Gymnastics privacy policy to the taking of and use of photography, with particular reference to the MYC Gymnastics website, newsletters and photographs taken at events.

MYC Gymnastics is committed to providing the highest level of membership service. This includes protecting of member's privacy, promotion of positive behaviours and protecting the health, safety and wellbeing of members. This policy reinforces the club's commitment to its members.

### **Scope**

This policy applies to participants, spectators, officials, coaches, judges and staff at all MYC Gymnastics activities and events.

### **Policy**

MYC Gymnastics may take photographs and moving images at events for use on the MYC Gymnastics website, noticeboards and other publications. If formally notified by a member that they do not wish to have their image captured MYC Gymnastics will endeavour to respect the members' wishes, but is not directly responsible for images taken by other members.

Only MYC Gymnastics authorized photographers are permitted to take photographs on the competition floor at club events.

Flash photography is prohibited at all Gymnastics events and competitions.

MYC Gymnastics permits parents, guardians and immediate family members to take photographs and video from the spectator areas only and of their athlete only.

Breaches of this policy should be reported to the committee of management of MYC Gymnastics.

## **PART G – GRIEVANCES AND COMPLAINTS POLICY**

### **Background and purpose**



MYC Gymnastics  
Mornington Youth Club Inc.  
A.B.N. 97 816 625 229  
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Mornington Vic 3931  
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[www.myc.gymnastics.org.au](http://www.myc.gymnastics.org.au)

MYC Gymnastics is committed to being open and responsive to any complaints offered by members of the club. Wherever possible, MYC Gymnastics will seek an outcome to a complaint that is satisfactory to all parties.

The purpose of this policy is to:

- Ensure a procedure through which people who are part of the MYC Gymnastics club can communicate any complaints regarding MYC Gymnastics services, functions or operations
- Enable MYC Gymnastics to benefit from all complaints through ensuring that they are recorded, considered, resolved and monitored.
- Establish the principles that govern MYC Gymnastics responses to complaints
- Ensure that club members are aware of this policy

### **Key policy principles**

- MYC Gymnastics will maintain a formal complaints procedure to ensure that all complaints are responded to in a timely and impartial way
- MYC Gymnastics will ensure that suggestions for improvement and complaints are recorded, considered and retained for process improvement purposes
- Confidentiality: MYC Gymnastics will address all complaints in a confidential manner. Where possible, MYC Gymnastics will protect the identity of the complainant and do everything within its powers to ensure documentation, oral representations and all other evidence is confined to appropriate persons on a strictly confidential basis.
- Action to resolve the complaint will commence within 7 days of the complaint being made (this includes contacting the complainant). Only the people directly involved in making, investigating or resolving a complaint will have access to information about it.
- MYC Gymnastics will ensure that the complaint investigation process is impartial. No assumptions will be made nor any action taken until all relevant information has been collected and considered.
- Principles of natural justice and due process will apply to the handling of all complaints and grievances.

### **Complaints handling 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 a complainant wishes to remain anonymous, MYC Gymnastics will only be able to assist the complainant to resolve their complaint to the extent possible. MYC Gymnastics does not

encourage complaints to be made on an anonymous basis unless there is a compelling reason, such as the complainant has a genuine fear for their safety, or the safety of other people. Procedural fairness (natural justice) means that MYC Gymnastics is required to



provide the person/people who are the subject of the complaint (respondents) with full details of the complaint so they have a fair chance to respond.

a) **Informal approaches**

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

In the first instance, the complainant should try to sort out the problem with the respondent if they feel able to do so.

b) **Step 2: Contact a Member Protection Information Officer**

i. The complainant should talk with a MYC Gymnastics Member Protection Information Officer (MPIO) if:

- A. The Step 1 is not possible/reasonable;
- B. They are not sure how to handle the problem by themselves;
- C. They want to talk confidentially about the problem with someone and obtain more information about what they can do; or
- D. The problem continues after they have tried to approach the respondent.

ii. The MPIO will:

- A. Take confidential notes about the complaint;
- B. Try to find out the facts of the problem;
- C. Ask what outcome the complainant wants/how the complainant wants the problem resolved and if they want support;
- D. Provide possible options for the complainant to resolve the problem
- E. Act as a support person if the complainant wishes;
- F. Refer the complainant to an appropriate person (e.g. mediator) to help resolve the problem, if necessary;
- G. Inform the relevant government authorities and/or police if required by law to do so; and
- H. Maintain confidentiality.

c) **Step 3: Outcomes from the initial contact**

i. After talking to the MPIO, the complainant may decide:

- A. There is no problem;
- B. The problem is minor and the complainant does not wish to take the matter forward;

C. To try and work out their own resolution (with or without a support person such as an MPIO);

D. To seek a mediated resolution with the help of a third person (such as a mediator); or

E. To seek a formal approach.

**b) Formal approaches**

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

i. If a complaint is not resolved or informal approaches are not appropriate or possible, a complainant may:

A. Make a formal complaint in writing to the MYC Gymnastics committee President;

B. Make a formal written complaint in writing to Gymnastics Victoria

ii. On receiving a formal complaint in writing and, based on the material the complainant has provided, the MYC Gymnastics committee President will decide whether;

A. They are the most appropriate person to receive and handle the complaint;

B. The nature and seriousness of the complaint warrants a formal resolution procedure;

C. To appoint a person to investigate (gather more information on) the complaint;

D. Refer the complaint to Gymnastics Victoria;

E. Refer the matter to the police or other appropriate authority; and/or

F. To implement any interim arrangements that will apply until the complaint process set out in these complaint handling procedures is completed.

iii. In making the decision(s) outlined above the MYC Gymnastics committee President will take into account;

A. Whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;

B. The wishes of the complainant and respondent regarding the manner in which the complaint should be handled;

C. The relationship between the complainant and the respondent (for example an actual or perceived power imbalance);

D. Whether the facts of the complaint are in dispute; and

E. The urgency of the complaint, including the possibility that the complainant will be subject to further unacceptable behaviour while the complaint process is underway.

- iv. If the MYC Gymnastics committee President is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:
  - A. Put the information they have received from the complainant to the respondent and ask them to provide their side of the matter;
  - B. Decide if they have enough information to determine whether the matter alleged in the complaint did or didn't happen; and/or
  - C. Determine what, if any, further action to take. This action may include disciplinary action authorised by the MYC Gymnastics committee President in accordance with this policy. This action can include restrictions placed on a MYC Gymnastics member's involvement in gymnastics and/or any suspension of a MYC Gymnastics member.
- b) **Step 5: Investigation of the complaint**
  - i. A person appointed under **Step 4** (or other authorised person) will conduct an investigation and provide a confidential written report to the MYC Gymnastics committee President who will determine what further action to take;
  - ii. If the complaint is referred to mediation, it will be conducted in accordance with section d) of this policy or as otherwise agreed by the complainant, respondent and the mediator;
  - iii. If the complaint is referred to Gymnastics Victoria, MYC Gymnastics will use its best endeavours to provide all reasonable assistance required.
  - iv. If the complaint is referred to the police or other appropriate authority, MYC Gymnastics will use its best endeavours to provide all reasonable assistance required by the police or other authority.
  - v. It must be made clear to all parties that the investigator is not seeking to resolve the matter, nor to decide whether any breach of this policy has occurred, nor to impose any penalty. Any decision about a breach of this policy must be referred to Gymnastics Victoria, and where possible, mediations should be conducted by an independent mediator.
- c) **Step 6: Reconsideration of initial outcome/investigation or appeal**
  - i. If under the formal complaint process, mediation is unsuccessful, the complainant may request that the MYC Gymnastics committee President reconsider the complaint in accordance with Step 3.
  - ii. The complainant or the respondent may be entitled to appeal. The grounds and process for appeals are set out in section f) this policy.
- d) **Step 7: Documenting the resolution**

MYC Gymnastics will document the complaint, the process and the outcome.  
This document will be stored in a confidential and secure place.

**c) External approaches**

- a) There are a range of other options available depending on the nature of a complaint. If a person feels that they have been harassed or discriminated against, they can seek advice from their State or Territory's Anti-discrimination commission without being obliged to make a formal complaint. If the commission advises that the problem appears to be harassment within its jurisdiction, that person may lodge a formal complaint with the commission.
- b) Once a complaint is received by an Anti-Discrimination Commission, it will be investigated. 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.
- c) If a complaint is lodged under Anti-Discrimination law, the complainant may use an appropriate person (e.g. an MPIO) as a support person throughout the process. It is also common to have a legal representative, particularly at the hearing stage of a complaint.
- d) The complainant could also approach another external agency such as the police.

**d) Mediation**

- a) Mediation is a process during which people in conflict are helped to communicate with each other to identify the areas of dispute and to make decisions about resolving it. The procedure for mediation that will be followed by MYC Gymnastics is in accordance with the Gymnastics Victoria Grievance By-Law.

**e) Investigation Process**

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

- a) MYC Gymnastics will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:
  - i. Interview the complainant and record the interview in writing.
  - ii. Convey full details of the complaint to the respondent so that they can respond.
  - iii. Interview the respondent to allow them to answer the complaint, and record the interview in writing.
  - iv. Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts.

- v. Make a finding as to whether the complaint is;
  - A. Substantiated (there is sufficient evidence to support the complaint);
  - B. Inconclusive (there is insufficient evidence either way);
  - C. Unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
  - D. Mischievous, vexatious or knowingly untrue.
- vi. Provide a report to the MYC Gymnastics committee documenting the complaint, investigation process, evidence, and finding and, if requested, recommendations.
  - b) MYC Gymnastics will provide a report to the complainant and the respondent documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
  - c) The complainant and the respondent will be entitled to support throughout this process from their chosen support person/adviser (e.g. an MPIO or other person).
  - d) The complainant and the respondent may have the right to appeal against any decision arrived at based on the investigation. Information on the appeal process is covered in section f).
- f) **Hearings and Appeals Tribunal Procedure**
  - a) The GV Discipline and Appeals By-Law will be followed for appeals in relation to the member protection related complaints.
- g) **Reporting requirements and documents/forms**

MYC Gymnastics will ensure that all complaints it receives, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint.

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

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

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

## ***Complaint flowchart***

Speak to person/people concerned  
(refer enquiry directory)

### ***If unsuccessful, unsatisfied or not resolved***

Speak to MPIO for further  
information on policies and how to  
proceed.

### ***If unsuccessful, unsatisfied or not resolved***

Make a written complaint to  
Committee President/ Head Coach.

### ***If unsuccessful, unsatisfied or not resolved***

Make written complaint to  
Gymnastics Victoria.



MYC Gymnastics  
 Mornington Youth Club Inc.  
 A.B.N. 97 816 625 229  
 350 Dunns Road (PO Box 102)  
 Mornington Vic 3931  
 Phone (03) 5975 3155  
 Email [admin@mycgymnastics.org.au](mailto:admin@mycgymnastics.org.au)  
[www.myc.gymnastics.org.au](http://www.myc.gymnastics.org.au)

## Enquiry Directory

| Kerry<br><a href="mailto:headcoach@mycgymnastics.org.au">headcoach@mycgymnastics.org.au</a>   | Ben<br><a href="mailto:magmanager@mycgymnastics.org.au">magmanager@mycgymnastics.org.au</a>   | Micayla<br><a href="mailto:wagsquadmanager@mycgymnastics.org.au">wagsquadmanager@mycgymnastics.org.au</a>   | Bron<br><a href="mailto:admin@mycgymnastics.org.au">admin@mycgymnastics.org.au</a>  | Jenny<br><a href="mailto:admin@mycgymnastics.org.au">admin@mycgymnastics.org.au</a>  |
|---|---|---|---|--|
| <ul style="list-style-type: none"> <li>• Coaching issues</li> <li>• Class times</li> <li>• ALL pre-level enquiries</li> <li>• Program info except Squad or MAG</li> <li>• Waiting list</li> <li>• Issues in gym area including equipment</li> <li>• Competitions</li> <li>• Any other queries if you are not sure who to direct them to.</li> </ul> | <ul style="list-style-type: none"> <li>• MAG info (except pre-level)</li> <li>• MAG coaches – fill ins etc.</li> <li>• MAG comps</li> </ul> | <ul style="list-style-type: none"> <li>• Squad info</li> <li>• Squad coaches – fill ins etc.</li> <li>• Squad comps</li> <li>• Uniform – design and sourcing</li> </ul> | <ul style="list-style-type: none"> <li>• School gym</li> <li>• Special O</li> <li>• Fit 4 all</li> <li>• KinderGym</li> <li>• MPIO</li> <li>• Committee<br/>(<a href="mailto:secretary@mycgymnastics.org.au">secretary@mycgymnastics.org.au</a>)</li> <li>• Waiting list</li> <li>• Uniforms – ordering, invoicing and distribution</li> <li>• Facilities – MPSC liaison</li> <li>• 2<sup>nd</sup> hand uniforms</li> </ul> | <ul style="list-style-type: none"> <li>• Fees information</li> <li>• Payroll/wages</li> <li>• Invoicing</li> <li>• Accounts to be paid</li> <li>• Banking</li> <li>• Waiting list</li> <li>• Credits for absences/medical certificates</li> <li>• Policies</li> <li>• Ezi debit</li> <li>• Uniform – invoicing and distribution</li> <li>• 2<sup>nd</sup> hand uniforms</li> <li>• MPIO</li> </ul> |

### CONFIDENTIAL RECORD OF INFORMAL COMPLAINT

|   |  |                |
|---|--|----------------|
| Name of person receiving complaint  |  | Date    /    / |
| Complainant's Name  | <input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18   |                |
| Role/Status   | <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent<br><input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator<br><input type="checkbox"/> Coach/assistant coach <input type="checkbox"/> Support personnel<br><input type="checkbox"/> Employee <input type="checkbox"/> Other<br><input type="checkbox"/> Official   |                |
| Location/event of alleged issue   |  |                |
| Facts as stated by the complainant  |  |                |
| Nature of complaint<br>(category/basis/grounds)<br><br>Can tick more than one box | <input type="checkbox"/> Harassment <input type="checkbox"/> Discrimination<br><input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute<br><input type="checkbox"/> Sexuality <input type="checkbox"/> Coaching methods<br><input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal Abuse<br><input type="checkbox"/> Race <input type="checkbox"/> Bullying<br><input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion<br><input type="checkbox"/> Disability <input type="checkbox"/> Victimisation<br><input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse<br><input type="checkbox"/> Unfair decision <input type="checkbox"/> Other |                |





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|                                       |  |  |
|---------------------------------------|--|--|
| What they want to happen to fix issue |  |  |
| What information was provided         |  |  |
| What they are going to do now         |  |  |

This record and any notes must be kept in a confidential place – do not enter it on a computer system. If the issue becomes a formal complaint, this record must be given to the MYC Gymnastics committee President.

### CONFIDENTIAL RECORD OF FORMAL COMPLAINT

|  |  |              |
|--|--|--------------|
| Name of person receiving complaint           |  | Date   /   / |
| Complainant's Name                           | <input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18   |              |
| Complainant's contact details                | Phone:<br>Email:   |              |
| Complainant's Role/Status                    | <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent<br><input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator<br><input type="checkbox"/> Coach/assistant coach <input type="checkbox"/> Support personnel<br><input type="checkbox"/> Employee <input type="checkbox"/> Official<br><input type="checkbox"/> Other |              |
| Name of person complained about (respondent) | <input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18   |              |
| Respondent's Role/Status                     | <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent<br><input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator<br><input type="checkbox"/> Coach/assistant coach <input type="checkbox"/> Support personnel<br><input type="checkbox"/> Employee <input type="checkbox"/> Official<br><input type="checkbox"/> Other |              |
| Location/event of alleged issue              |  |              |
| Description of alleged issue                 |  |              |

|   |   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
|---|---|-------------------------------------|---|--|--|------------------------------------|---|--|---------------------------------------|-------------------------------|-----------------------------------|---|-----------------------------------|-------------------------------------|--|------------------------------------|--------------------------------------|--|--------------------------------|
| <p>Nature of complaint<br/>(category/basis/grounds)</p> <p>Can tick more than one box</p> | <table border="0"> <tr> <td><input type="checkbox"/> Harassment</td> <td><input type="checkbox"/> Discrimination</td> </tr> <tr> <td><input type="checkbox"/> Sexual/sexist</td> <td><input type="checkbox"/> Selection dispute</td> </tr> <tr> <td><input type="checkbox"/> Sexuality</td> <td><input type="checkbox"/> Coaching methods</td> </tr> <tr> <td><input type="checkbox"/> Personality clash</td> <td><input type="checkbox"/> Verbal Abuse</td> </tr> <tr> <td><input type="checkbox"/> Race</td> <td><input type="checkbox"/> Bullying</td> </tr> <tr> <td><input type="checkbox"/> Physical abuse</td> <td><input type="checkbox"/> Religion</td> </tr> <tr> <td><input type="checkbox"/> Disability</td> <td><input type="checkbox"/> Victimisation</td> </tr> <tr> <td><input type="checkbox"/> Pregnancy</td> <td><input type="checkbox"/> Child Abuse</td> </tr> <tr> <td><input type="checkbox"/> Unfair decision</td> <td><input type="checkbox"/> Other</td> </tr> </table> | <input type="checkbox"/> Harassment | <input type="checkbox"/> Discrimination | <input type="checkbox"/> Sexual/sexist | <input type="checkbox"/> Selection dispute | <input type="checkbox"/> Sexuality | <input type="checkbox"/> Coaching methods | <input type="checkbox"/> Personality clash | <input type="checkbox"/> Verbal Abuse | <input type="checkbox"/> Race | <input type="checkbox"/> Bullying | <input type="checkbox"/> Physical abuse | <input type="checkbox"/> Religion | <input type="checkbox"/> Disability | <input type="checkbox"/> Victimisation | <input type="checkbox"/> Pregnancy | <input type="checkbox"/> Child Abuse | <input type="checkbox"/> Unfair decision | <input type="checkbox"/> Other |
| <input type="checkbox"/> Harassment   | <input type="checkbox"/> Discrimination   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <input type="checkbox"/> Sexual/sexist  | <input type="checkbox"/> Selection dispute  |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <input type="checkbox"/> Sexuality  | <input type="checkbox"/> Coaching methods   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <input type="checkbox"/> Personality clash  | <input type="checkbox"/> Verbal Abuse   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <input type="checkbox"/> Race   | <input type="checkbox"/> Bullying   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <input type="checkbox"/> Physical abuse   | <input type="checkbox"/> Religion   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <input type="checkbox"/> Disability   | <input type="checkbox"/> Victimisation  |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <input type="checkbox"/> Pregnancy  | <input type="checkbox"/> Child Abuse  |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <input type="checkbox"/> Unfair decision  | <input type="checkbox"/> Other  |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <p>Methods (if any) of attempted informal resolution</p>                                  |   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <p>Formal resolution procedures followed (outline)</p>                                    |   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <p>If investigated : Finding -</p>  |   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |
| <p>If referred to Gymnastics Victoria:</p> <p>Decision</p> <p>Action recommended</p>      |   |                                     |   |  |  |                                    |   |  |                                       |                               |                                   |   |                                   |                                     |  |                                    |                                      |  |                                |



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|  |  |
|--|--|
| If mediated<br>Date of mediation<br>Were both parties present<br>Terms of agreement<br><br>Any other actions to be taken |  |
| Resolution   | <input type="checkbox"/> Less than 3 months to resolve<br><input type="checkbox"/> Between 3 – 8 months to resolve<br><input type="checkbox"/> More than 8 months to resolve |
| Completed by   | Name:<br>Position:<br>Signature: _____ Date    /    /  |
| Signed by:   | Complainant:<br><br>Respondent:  |

This record and any notes must be kept in a confidential place. If the complaint is of a serious nature, or is escalated to and/or dealt with at the State level, the original of this record must be forwarded to the State body and a copy kept at the club.

## PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

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

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

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

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

### 1. 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   |
|---|---|
| Make sure you are clear about what the child has told you.                        | Do not challenge or undermine the child.  |
| Reassure the child that what has occurred is not his or her fault.                | Do not seek detailed information, ask leading questions or offer an opinion.              |
| Explain that other people may need to be told in order to stop what is happening. | Do not discuss the details with any person other than those detailed in these procedures. |
| Promptly and accurately record the discussion in writing.                         | Do not contact the alleged offender.  |

### 2. 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 whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then you should also report the allegation to the President of the MYC Gymnastics committee so that he or she can manage the situation.

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

- The President of the MYC Gymnastics committee will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of 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 MYC Gymnastics.

- b) The MYC Gymnastics President will consider what services may be appropriate to support the child and his or her parent(s)/guardian(s).
- c) The MYC Gymnastics President will consider what support services may be appropriate for the alleged offender.
- d) The MYC Gymnastics President will put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

**4. Step 4: Take internal action**

- a) Up to three different investigations could be undertaken to examine allegations that are made against a person to whom this Policy applies, including:
  - i. A criminal investigation (conducted by the police);
  - ii. A child protection investigation (conducted by the relevant child protection agency); and/or
  - iii. A disciplinary or misconduct inquiry/investigation (conducted by Gymnastics Victoria)
- b) Regardless of the findings of the police and/or child protection agency investigations, MYC Gymnastics will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be stood down pending the outcome of an investigation, be banned or face any other disciplinary action.
- c) The MYC Gymnastics President 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, recommending actions and the rationale for those actions.
- d) If disciplinary action is recommended, MYC Gymnastics will follow the procedures set out in the Member Protection Policy.
- e) MYC Gymnastics will provide the relevant government agency with a report of any disciplinary action it takes, where this is required.

## CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

|  |  |                                     |
|--|--|-------------------------------------|
| Complainant's Name (if other than the child)   |  | Date formal complaint received: / / |
| Role/Status in sport   |  |                                     |
| Child's Name   |  | Age                                 |
| Child's address  |  |                                     |
| Person's reason for suspecting abuse<br><br>(e.g. observation, injury, disclosure)                       |  |                                     |
| Name of person complained about  |  |                                     |
| Role/status in sport   | <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent<br><input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator<br><input type="checkbox"/> Coach/assistant coach <input type="checkbox"/> Support personnel<br><input type="checkbox"/> Employee <input type="checkbox"/> Official<br><input type="checkbox"/> Other |                                     |
| Witnesses (if more than 3 witnesses, attach details to this form)  | Name (1):<br>Contact details:<br>Name (2)<br>Contact details:<br>Name (3)<br>Contact details:  |                                     |
| Interim action (if any) taken (to ensure child's safety and/or support needs of person complained about) |  |                                     |
| Police contacted   | Who:<br><br>When:<br><br>Advise provided:  |                                     |



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|   |   |  |
|---|---|--|
| Government agency contacted                   | Who:<br>When:<br>Advise provided:                     |  |
| President contacted                           | Who:<br>When:   |  |
| Police and/or government agency investigation | Finding:  |  |
| Internal investigation (if any)               | Finding:  |  |
| Action taken                                  |   |  |
| Completed by                                  | Name:<br>Position:<br>Signature: _____ Date    /    / |  |
| Signed by:                                    | Complainant (if not a child)                          |  |

This record and any notes must be kept in a confidential place and provided to the relevant authorities (police and government) should they require them.