



Sporting Shooters Association of
Australia (South Australian Branch)
Incorporated.
By Law No. 5

MEMBER PROTECTION POLICY

MEMBER PROTECTION POLICY PART A

1. Core Values

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated is committed but not limited to the following objectives and goals;

(a) The achievement and maintenance of a favourable environment for field and target shooting in Australia and its Territories.

(b) To seek improvements in the laws pertaining to firearms, and to support or oppose proposed amendments to existing legislation

(c) To advocate game conservation and the legal recognition of game animals (indigenous and introduced).

(d) To provide help and education for all eligible persons in the art of shooting, safe handling of firearms, field etiquette and knowledge of laws relative to shooting.

(e) To raise the Sport of Shooting in the public esteem by promotion of a better understanding between the public, landholders and shooters.

(f) To encourage all hunters and shooters to abide by a strict code of ethics.

(g) To promulgate in the interests of safety, knowledge and information of firearms and ammunition.

(h) To do all and any such lawful things as are conducive to, or incidental to, the attainment of the above aims and objects and purposes of the Association.

2. Purpose of this policy

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

The policy attachments provide the procedures that support our commitment to eliminating discrimination, harassment in all its forms, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, The Sporting Shooters Association of Australia (South Australia Branch) Incorporated will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy has been endorsed by the Board of Management of the Sporting Shooters Association of Australia (South Australia Branch) Incorporated.

3. Commencement

The policy commences on 10th January 2005 and will remain in force until repealed or replaced. This policy and/or its attachments may be amended from time to time by resolution of the Board at any General, Special General, or Annual General Meeting in accordance with the provisions of the Constitution. Copies of the policy and its attachments can be obtained from the Secretary, Sporting Shooters Association of Australia (South Australia Branch) Incorporated.

3. Application

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

- Individuals sitting on boards, committees and sub-committees;
- Employees and volunteers;
- Support personnel (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers); including Contractors and their employees
- Coaches and assistant coaches;
- All member sports men and sports women and their guests
- Referees, umpires and other officials;
- Members, including life members;
- Member associations, Member Branches, Disciplines, Divisions and Clubs;
- Affiliated clubs and associated organisations;
- The Peak Association and the national body;
- Any other person or organisation that is a member of or affiliated to the Sporting Shooters Association of Australia (South Australia Branch) Incorporated
- Parents, guardians, spectators and sponsors to the full extent that is possible.

This policy will continue to apply to a person even after they have ceased membership or their association or employment with The Sporting Shooters Association of Australia (South Australia Branch) Incorporated if disciplinary action, relating to an allegation of child abuse against that person, has commenced.

4. Code Of Conduct

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated requires every individual and organisation bound by this policy to:

- 4.1 Be ethical, fair and honest in all their dealings with other people and The Sporting Shooters Association of Australia (South Australia Branch) Incorporated;
- 4.2 Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- 4.3 Always place the safety and welfare of children above other considerations;
- 4.4 Comply with The Sporting Shooters Association of Australia (South Australia Branch) Incorporated constitution, rules and policies including this member protection policy;
- 4.5 Operate within the rules and spirit of the sport;
- 4.6 Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
- 4.7 Be responsible and accountable for their conduct; and
- 4.8 Abide by the relevant Role-Specific Codes of Conduct outlined in Part D of this policy.

5. Organisational Responsibilities

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated, and all of its legally Constituted Branches and Disciplines must:

- 5.1 Adopt, implement and comply with this policy;
- 5.2 Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- 5.3 Promote appropriate standards of conduct at all times;
- 5.4 Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, timely and confidential manner;
- 5.5 Apply this policy consistently without fear or favour;
- 5.6 Recognise and enforce any penalty imposed under this policy;
- 5.7 Ensure that a copy of this policy is available or accessible to the persons to whom this policy applies
- 5.8 Appoint or have access to appropriately trained people to receive and handle complaints and allegations [e.g. Member Protection Information Officers (MPIOs) and/or Complaint Managers] and display the names and contact details in a way that is readily accessible; and

5.9 Monitor and review this policy as required, but at least annually at the Annual General Meeting of the Association.

6. Individual Responsibilities

Individuals bound by this policy are responsible for:

- 6.1 Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- 6.2 Consenting to a national police check if the individual holds or applies for a role that involves direct and regular contact with people under the age of 18 years
- 6.3 Complying with all other requirements of this policy;
- 6.4 Co-operating in providing a discrimination, child abuse and harassment free sporting environment;
- 6.5 Understanding the possible consequences of breaching this policy.

7. Policy Position Statements

7.1 Child Protection Policy

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated;

- (a) Acknowledges that our staff and volunteers provide a valuable contribution to the positive experiences of our juniors.
- (b) Aims to ensure this continues and to protect the safety and welfare of its junior participants. Several measures will be used to achieve this such as:
 - Prohibiting any form of abuse against children;
 - Providing opportunities for our juniors to contribute to and provide feedback on our program development;

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated will carefully select and screen people whose role involves direct and regular contact with people under the age of 18 years

- Screening procedures are outlined in Part B of this policy;
- Providing education and/or information to those involved in our sport on child abuse and child protection.

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated requires that any child who is abused, or anyone who reasonably suspects that a child has been, or is, being abused by someone within our

sport, to report it immediately to the police or relevant government agency and the Member Protection Information Officer/s (MPIOs) Descriptions of the sorts of activity which may be abuse are in the Dictionary at clause 11.

All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in Clause C5 of this Policy.

The law is always the minimum standard for behaviour within the Sporting Shooters Association of Australia (South Australia Branch) Incorporated.

7.2 Anti-Discrimination and Harassment Policy

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated prohibits all forms of harassment and discrimination not only because it is against the law, but because it is extremely distressing, offensive, humiliating and/or threatening and creates an uncomfortable and unpleasant environment.

Descriptions of some of the types of behaviour which could be regarded as harassment or discrimination are provided in the Dictionary at clause 11.

If any person feels they are being harassed or discriminated against by another person or organisation bound by this policy, please refer to our complaints procedure outlined in Clause 8 of this policy. This will explain what to do about the behaviour and how the Sporting Shooters Association of Australia (South Australia Branch) Incorporated will deal with the problem.

7.2 Sexual Relationships Policy

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated takes the position that sexual relationships between coaches and the adult athletes that they coach should be avoided. The Sporting Shooters Association of Australia (South Australia Branch) Incorporated takes the view that such relationships, while not necessarily constituting unlawful harassment, can have harmful effects on the individual athlete involved, on other athletes and coaches, and on the sport's public image. Such

relationships tend to be intentionally or unintentionally exploitative because there is usually a disparity between coaches and athletes in terms of authority, power, maturity, status and dependence.

Should a sexual relationship develop between an athlete and coach, the Sporting Shooters Association of Australia (South Australia Branch) Incorporated will investigate whether any action against the coach is necessary. Factors that may be relevant to consider are the age and maturity of the athlete relative to the coach, the financial or emotional dependence of the athlete on the coach, and the likelihood of the relationship having any adverse impact on the athlete and/or other athletes. If it is determined that the sexual relationship is inappropriate, action may be taken to stop the coaching relationship with the athlete. Action may include transfer, a request for resignation or dismissal from coaching duties.

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

8. Complaints Procedures

8.1 Complaints

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated aims to provide an easy to use, confidential and trustworthy procedure for complaints based on the principles of natural justice. Any person may report a complaint (complainant) about a person/s or organisation bound by this policy if they reasonably believe that a person/s or a sporting organisation has breached this policy. A complaint, formal or informal, should be reported to the MPIO of the Sporting Shooters Association of Australia (South Australia Branch) Incorporated. The complainant decides whether the complaint will be dealt with informally or formally unless the MPIO considers that the complaint falls outside the parameters of this policy and would be better dealt with another way.

All complaints will be dealt with promptly, seriously, sensitively and confidentially.

8.2 Vexatious Complaints & Victimization

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated aims to ensure our complaints procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the complaint process the MPIO considers that a complainant has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the Sporting Shooters Association of Australia (South Australia Branch) Incorporated Executive Committee for appropriate action, which may include disciplinary action against the complainant.

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated will also take all necessary steps to make sure that people involved in a complaint are not victimised by anyone for coming forward with a complaint or for helping to resolve the issue.

8.3 Mediation

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated aims to resolve complaints expeditiously and with the minimum of fuss wherever possible. In many cases, complaints can be resolved by agreement between the people involved with no need for disciplinary action. The people involved in a formal complaint - the complainant and the person complained about (respondent) - may also seek the assistance of a neutral third person or a mediator. Lawyers are able to negotiate on behalf of the complainant and/or respondent.

Mediation may occur either before or after an investigation of a complaint. If a complainant wishes to try and resolve the complaint with the assistance of a mediator, the MPIO will, in consultation with the complainant, arrange for a mediator to mediate the complaint.

8.4 Tribunals

A hearings tribunal may be formed to hear a formal complaint that has been referred by the MPIO, or an alleged breach of the policy. A respondent may lodge one appeal only to the appeal tribunal in respect of a decision of a hearing tribunal. The decision of the appeal tribunal is final and binding on the people involved to the appeal.

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

Members of hearing and appeal tribunals will be indemnified by the organisation that appointed them against any claim for loss, compensation or damages, and for costs incurred defending a claim made against them, because of their function as a member of a hearings or appeals tribunal provided that they acted and can demonstrate that they acted in good faith.

9. What is a Breach of this policy

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

9.1 Breached the Code of Conduct and Role-Specific Codes of Conduct;

9.2 Failed to follow The Sporting Shooters Association of Australia (South Australia Branch) Incorporated policies and procedures for the protection, safety and welfare of children;

9.3 Appointed or continued to appoint a person to a role that involves working with children and young people contrary to this policy;

9.4 Discriminated against or harassed any person;

9.5 Victimised another person for reporting a complaint;

9.6 Engaged in a sexually inappropriate relationship with a person that the person supervises, or has influence, authority or power over;

9.7 Disclosed to any unauthorised person or organisation any of the Sporting Shooters Association of Australia (South Australia Branch) Incorporated information that is of a private, confidential or privileged nature;

9.8 Made a complaint they **knew** to be untrue, vexatious, malicious or improper;

9.9 Failed to comply with a penalty imposed after a finding that the individual or organisation has breached this policy.

10. Forms of Discipline

If an individual or organisation to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include making a verbal or written apology, paying a fine, having a person's appointment or employment terminated, cancellation of the persons membership to the Sporting Shooters Association of Australia (South Australia Branch) Incorporated, and denying the members use of any and/or all of the facilities so provided as a part of the

persons membership. More information on the range of disciplinary measures and the factors that will be considered before imposing discipline is at Clause E2 of this policy.

11. Dictionary

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

In this Policy, writing, includes facsimiles, printing, photographs, or other forms of presenting words that are visible and legible; words in the masculine or feminine gender include the opposite gender; words in the singular include the plural and vice versa.

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.

Association in this Policy means the Sporting Shooters Association of Australia (South Australia Branch) Incorporated

Branch means an unlimited number of Individual members, who at an Annual General Meeting, elect a formal committee and agree to adopt the uniform constitution of the Sporting Shooters Association of Australia (South Australia) Branch Incorporated.

- **Child** means a person who is under the age of 18 years
Child abuse relates to children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care.

Complaint means a complaint made under clause 8 of this policy.

Complainant means the person making a complaint.

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

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

(domestic or international); the entry or otherwise of any member or other person to any competition; obtaining or retaining membership of an organisation (including the rights and privileges of membership).

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

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

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

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

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

Junior means a person under the age of eighteen (18) years who is participating in an activity of the Sporting Shooters Association of Australia Incorporated.

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

Member means an "Individual Member" as described under Section 2 (h) of the Constitution of the Sporting Shooters Association of Australia (South Australia Branch) Incorporated

Member protection is a term used by the Australian sport industry to describe the practices and procedures that protect members - both individual members such as players, coaches and officials, and the member

organisations such as clubs, state associations, other affiliated associations and the national body. Member protection involves:

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

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. The MPIO provides confidential information and moral support to the person with the concern or who is alleging harassment or a breach of this policy.

Natural justice incorporates the following principles:

- a person who is the subject of a complaint must be fully informed of the allegations against them
- a person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence
- all parties need to be heard and all relevant submissions considered
- irrelevant matters should not be taken into account
- no person may judge their own case
- the decision maker/s must be unbiased, fair and just
- the penalties imposed must not outweigh the 'crime'

Police check means a national criminal history record check conducted as a prudent pre-employment or pre-engagement background check on a person, noting that all members of the Sporting Shooters Association of Australia (South Australia Branch) Incorporated have undergone such a Criminal History check as part of their qualifying criteria for the issue of a Shooters Licence.

Policy and **this policy** mean this Member Protection Policy.

Respondent means the person who is being complained about.

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

Sexual harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

Sexual offence means a criminal offence involving sexual activity or acts of indecency.

The Sporting Shooters Association of Australia Incorporated means the Sporting Shooters Association of Australia Incorporated which is the National parent organisation of the Sporting Shooters Association of Australia (South Australia Branch) Incorporated and is purely administrative and does not provide any sporting facility. It comprises an unlimited number of member States and Territories (Branches) which agree to accept the Constitution of the National Association.

Tribunal means a legally constituted panel of members drawn from the general membership of the Association, which will include the Chief Range Officer as Chair of the tribunal and shall number three or five such members. Members of the tribunal shall be entitled to cast one vote with the Chair of the tribunal having the casting vote if necessary.

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

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

Young People/person means people in the 13 - 18 year age group.

MEMBER PROTECTION POLICY PART B

Child Protection

Background

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

In the South Australia the government has developed child protection legislation which places specific requirements upon individuals and organisations involved in a range of areas including sport and recreation.

State and Territory child protection requirements also apply to individuals and organisations originating outside of the states with the legislation in place. For example, if one of our state associations or affiliated clubs takes junior players to New South Wales or Queensland for training camps, competition or other activities, those travelling with the teams must comply with the NSW or QLD legislative requirements.

CHILD PROTECTION REQUIREMENTS

This part sets out the screening process for people who currently occupy, or who apply for any work (paid or voluntary), with, or for, the Sporting Shooters Association of Australia (South Australia Branch) Incorporated that involve regular contact with people under the age of 18 years.

Screening under this policy is not a replacement for any other procedure required by law. If State or Territory legislation sets an equivalent or higher standard of screening, the requirement to screen people under the process outlined below need not be followed.

Association/club requirements

Under the Sporting Shooters Association of Australia (South Australia Branch) Incorporated Member Protection Policy], our association is required to:

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

with people under the age of 18 years. The MPD will be kept in a secure place.

If a MPD is not provided, or it reveals that a person does not satisfactorily meet with one or more of the clauses in the MPD (e.g. has a relevant criminal conviction), the SSAA (SA) Inc. will:

- provide an opportunity for the person to respond/provide an explanation, and
- make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.

3. Check a person's referees (verbal or written) and interview a person about their suitability for the role and their suitability for working with children for both paid and voluntary positions.

4. Request that people applying for and people who currently occupy a position that involves working with people under the age of 18 years to **give their consent** for a national police criminal history check.

5. Request a national police criminal history check from the South Australia Police Service for people applying for and people who currently occupy paid or unpaid and voluntary positions, which involves working with people under the age of 18 years.

Note: If the police check indicates a relevant offence the SSAA (SA) Inc. will provide an opportunity for the person to respond/provide an explanation, and make an assessment as to whether the person may pose a risk to or be unsuitable to work with people under the age of 18 years.

If unsatisfied, then the SSAA (SA) Inc. will:

(a) in the case of an existing employee/volunteer, transfer the person to another role which does not require them to work [directly and unsupervised] with people under the age of 18 years. If this is not possible, then end the appointment. **Note: legal advice should be obtained before the termination process begins.**

(b) in the case of a someone applying for the position/role, not appoint them.

6. Decide whether to offer the person the position [or retain the person in the position], taking into account the result of the police check and any other information SSAA (SA) Inc. has available. Where it is not practical to complete the police check prior to employment commencing, the SSAA (SA) Inc. must still complete the

check as soon as possible. The SSAA (SA) Inc. will advise the person that their ongoing employment is conditional upon the satisfactory outcome of the check.

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

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

MEMBER PROTECTION DECLARATION

The Sporting Shooters Association of Australia (South Australia Branch) Incorporated has a duty of care to its members and to the general public who interact with its employees, volunteers, members and others involved with activities. As part of this duty of care and as a requirement of the [SO]'s Member Protection Policy, the Sporting Shooters Association of Australia (South Australia Branch) Incorporated must enquire into the background of those applying for, undertaking or remaining in any work (paid or voluntary) that involves working with people under the age of 18 years

I(name) of
.....

.....(address)

born/...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for offences involving sexual activity, acts of indecency, or child abuse or child pornography ,
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, acts of violence, intimidation or other forms of harassment.
4. I have never been sanctioned for an anti-doping rule violation under any anti-doping policy applicable to me nor do I have or have pending any enquiry, or investigation associated with any substance abuse, including alcohol and/or the use of narcotic drugs.
5. I have never participated in, facilitated or encouraged any practice prohibited by the World Anti-Doping Agency Code or any other anti-doping policy applicable to me.
6. To my knowledge there is no other matter that the SSAA (SA) Inc. may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the President of the SSAA (SA) Inc. immediately upon becoming aware that any of the matters set out in clauses 1 to 6 above has changed for whatever reason.

Declared at in the South Australia

Australia on

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

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

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

Name:.....

Signature:.....

Date :

PROCEDURES PART C

To ensure consistency and that the principles of natural justice are followed in all aspects of handling or conducting complaints, allegations, investigations, tribunals and disciplinary measures, the SSAA (SA) Inc. will follow and implement the following procedures:

C1 Complaints Procedure

If a complaint is made against a person and alleges that the person has committed an act contrary to the provisions of this Policy, or has conducted his/her self in a manner which has the potential to discredit the Association, or to bring disrepute to the Association, such complaint will include the following details, such complaints must:

- (a) be written or typed in a clear and legible manner
- (b) be dated and signed by the person making the complaint
- (c) include the nature of the complaint and the name/s of any witnesses
- (d) state the time and date of the alleged breach
- (e) any other information or material as considered appropriate
- (f) Complaints are to be sealed in an envelope and addressed to the President, SSAA (SA) Inc. and marked **"Private and Confidential - To Be Opened By Addressee Only"**

C2. Upon receipt of a complaint, the President will advise the MPIO who will investigate the nature and substance of the complaint. The MPIO may, at his discretion, solicit the assistance of any member of the Board of Management of the SSAA (SA) Inc. (not being the person or one of the persons who is or may be the subject of the complaint) to assist in any such investigations.

C3. The MPIO will conduct his investigations in a timely, thorough and efficient manner, but will not sacrifice efficiency for speed in order to guarantee that the entitlements of natural justice are not compromised.

C4. At the conclusion of the investigation, the MPIO will provide his conclusions of the investigation to the President of the SSAA (SA) Inc. together with recommendations regarding any such subsequent action to be taken by the Association.

INVESTIGATION PROCEDURE - CHILD ABUSE

C5. An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. The initial response to a complaint that a child has allegedly been abused should be immediate if the incident/s are serious or criminal in nature while less serious/urgent allegations should be actioned as soon as possible, preferably within 24 hours.

The following is a basic outline of the key processes to follow.

Step 1 - Clarify basic details of the allegation

- Any complaints, concerns or allegations of child abuse should be made or referred to the President of the SSAA (SA) Inc. in the first instance, or in his absence to the MPIO.
- The initial response of the person that receives the complaint from the child (or person on behalf of the child) is crucial to the well being of the child. It is important for the person receiving the information to:
 - o Listen to, be supportive and do not dispute what the child says;
 - o Reassure the child that what has occurred is not the fault of the child;
 - o Ensure the child is safe;
 - o Be honest with the child and explain that other people may need to be told in order to stop what is happening; and
 - o Ensure that what the child says is quite clear, but do not elicit detailed information about the abuse. You should avoid suggestive or leading questions.
- The person receiving the complaint should obtain and clarify basic details (if possible) such as,
- Child's name, age and address
- Person's reason for suspecting abuse (observation, injury or other, and
- Names and contact details of all people involved, including witnesses

Step 2 Report allegations of a serious or criminal nature

Any individual or organisation to which this policy applies, should immediately report any incident of a serious or a criminal nature to the police and other appropriate authorities. The relevant South Australia authority should be contacted for advice if there is any doubt whether the complaint should be reported.

Step 3 - Protect the child

- The MPIO should assess the risks and take interim action to ensure the child's/children's safety. Some options could include redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined.
- The MPIO should also address the support needs of the person against whom the complaint is made. Supervision of the person should ideally occur with the knowledge of the person. If stood down, it should be made clear to all parties that are aware of the incident that this does not mean the person is guilty and a proper investigation still needs to be undertaken.

Step 4 - Further clarify and investigate allegation

If the allegations relate to a more serious or a criminal nature (for example - sexual abuse) advice should be sought from the police and the relevant government agency as to whether the Association should conduct its own internal investigation, in addition to any police action on the matter. The information collected during the investigation should be made available to the relevant authorities. Strict confidentiality, impartiality, fairness and due process must be maintained at all times.

Step 5 - Record and analyse all information

If an internal investigation was carried out under Step 4, the Investigator (MPIO) will provide a report and recommendations to the Executive Committee of the SSAA (SA) Inc. The Executive Committee of the SSAA (SA) Inc. will consider all the information and determine a finding. It will also recommend action and its rationale for the action.

Step 6 - Undertake disciplinary action

- For incidents of a serious or a criminal nature, consideration must be given to the findings of the police and/or the government agency before making a decision on disciplinary proceedings.
- If disciplinary action is to be taken, refer to the procedures outlined in **Clause 10 of Part A** of this Policy. In addition to the scale of penalties referred to in that part, additional penalties (depending on the seriousness and outcome of the complaint and the findings of a tribunal) might include making a recommendation to the Sporting Shooters Association of Australia Incorporated (the National parent

organisation) to cancel the person's membership. These penalties are in addition to any such conviction and/or punishment that might be handed down in a court of law.

- Implement any disciplinary decision recommended by the tribunal. The action should be immediate.
- Check with the relevant Territory government authority to see if you need to forward a report to other relevant government agencies or authority.

HEARINGS & APPEALS TRIBUNAL PROCEDURE

Part D

The following procedure will be followed by hearings tribunals established by the SSAA (SA) Inc.

Tribunal Formation and Notification

D1. A Tribunal Panel will be constituted following the rules outlined in the By-Laws of the Constitution of the SSAA (SA) Inc., to hear a complaint that has been referred to it by the Executive Committee of the SSAA (SA) Inc.

D2. The MPIO will organise for and Chair a Tribunal to be convened by notifying Tribunal Panel members that they are required to hear and adjudicate on a complaint. The Tribunal Panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the Executive Committee of the SSAA (SA) Inc. relating to the complaint/allegations.

D3. The Tribunal Hearing will be scheduled as soon as practicable, but must allow adequate time for the person/s to which the complaint refers to prepare a response to the complaint, or to seek legal advice.

D4. The number of tribunal Panel members required to be present throughout the Tribunal Hearing process will be three or five persons, one of which will be the MPIO (Chair)

4.1 The Tribunal Panel will not include any person who has any actual or perceived interest or preconceived opinions, vested interests or personal involvement relating to the complaint.

4.2 The Tribunal Panel will comprise at least one person who has knowledge, and preferably experience, of any relevant laws relating to the complaint (e.g. anti-harassment).

4.3 If a member of the Tribunal Panel cannot continue once the Tribunal Hearing has commenced, and the minimum number required for the Tribunal

Hearing is still maintained, the discontinuing member will not be replaced.

4.4 If the specific or minimum number is not maintained, the discontinuing member may be replaced if it is considered appropriate by the Tribunal Chairperson. If the Tribunal Chairperson believes it is not appropriate for a new Tribunal Panel member to be appointed then the Tribunal will be rescheduled to a later date. The Tribunal Chairperson will inform the President of the SSAA (SA) Inc. who will in turn advise the Executive Committee of the need to reschedule, and the MPIO will organise for the Tribunal Hearing, with a new Tribunal Panel to be reconvened.

D5. The President, through the Executive Committee, will inform the respondent/s by written notification that a tribunal hearing will take place. The written notification will outline:

- That the person has a right to appear at the tribunal hearing to defend the complaint/allegation;
- Details of the complaint, including any relevant rules or regulations they are accused of breaching (if there is more than one complaint these should be set out separately);
- The date, time and venue of the tribunal hearing;
- That they can make either verbal or written submissions to the Tribunal;
- That they may arrange for witnesses to attend the Tribunal in support of their position;
- An outline of any possible penalties that may be imposed if the complaint is found to be true; and
- That legal representation will not be allowed. [If the respondent is considered a minor, they should have a parent or guardian present.]

D6. A copy of any information / documents that have been given to the Tribunal (e.g. investigation report findings) will also be provided to the respondent.

The respondents will be permitted to participate in all SSAA (SA) Inc. activities and events, pending the decision of the Tribunal, including any forthcoming appeals process, unless the MPIO believes it is warranted to exclude the respondents from all or some of these events after carefully considering the nature of the complaint.

The MPIO will inform the person who originated the complaint (complainant) by written notification that a

Tribunal Hearing will take place. This written notification will outline:

- That the person has a right to appear at the tribunal hearing to support their complaint;
- Details of the complaint, including any relevant rules or regulations they are accused or suspected or breaching (if there is more than one complaint, they should be set out separately, unless they compliment to the initial charge);
- The date, time and venue for the hearing;
- That verbal or written submissions are acceptable to the tribunal;
- That they may arrange witnesses to attend the tribunal in support of their position;
- That legal representation in person will not be permitted (The person accused is however, advised to take legal advice prior to the date to the hearing);
- In the case that the complainant is a minor, they should have a parent or guardian present;
- The normal rules of evidence and judges rules which apply in a court of law do not apply to these tribunals.

D7. A copy of any information/documents that have been provided to the tribunal, including investigation report findings, will also be provided to the complainant.

D8. If the complainant believes the details of the complaint are incorrect or insufficient they should inform the MPIO as soon as possible so that the respondent and the Tribunal Panel members can be properly informed of the complaint.

D9 Tribunal Hearing Procedure

The following people will be permitted to attend the Tribunal Hearing:

- The tribunal Panel members (Three or five members);
- The respondent/s;
- The complainant;
- Any witnesses appearing on behalf or in support of the respondent;
- Any witnesses called by the complainant;

- Any parent or guardian or a support person required supporting the respondent or the complainant.

D10. If the respondent/s are not present and the Tribunal Chairperson considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue *ex parte* subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been carried out correctly.

D11. The Tribunal Chairperson will call the hearing to order at the designated time and determine if the respondent/s is present.

D12. If the respondent/s are not present and the Tribunal considers that no valid reason has been presented for their absence, the Tribunal Hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been carried out correctly.

D13. If the tribunal Chairperson considers that a valid reason for the non-attendance of the respondent/s is presented, or the Tribunal Chairperson does not believe that the Tribunal notification requirements have been carried out in accordance with the established procedure, then the Tribunal Hearing will be rescheduled to a later date.

D14. The Tribunal Chairperson will inform the President of the SSAA (SA) Inc. of the need to reschedule, and the President of the SSAA (SA) Inc. will in turn advise the Executive Committee of such and organise for the Tribunal Hearing to be reconvened.

D15. When the Tribunal has sat, the Tribunal Chairperson will read the complaint that is the subject matter for the Tribunal to adjudicate and ask the respondent/s if they understand the elements and substance of the complaint/s being made against them and if they agree or disagree with the complaint/s.

D16. If the person agrees with the complaint, they will be asked to provide any evidence or witnesses that should be considered by the Tribunal Panel when determining any disciplinary measures.

D17. If the person disagrees with the complaint, the complainant will be asked to describe the circumstances that led to the complaint being made.

- Brief notes may be referred to
- The complainant will be allowed to call witnesses
- The respondent/s may be permitted to question the complainant and their witnesses.

D18. The respondent/s will then be asked to respond to the complaint:

- Contemporaneous notes may be referred to
- The respondent will be permitted to call witnesses
- The complainant may be permitted to ask questions of the respondent and their witnesses.

D19. Both the complainant and respondent will be allowed to be present when evidence is presented to the Tribunal. Witnesses may be asked to wait outside the Tribunal Hearing until required.

D20. The Tribunal will be allowed to:

- consider any evidence, in any form, that it deems relevant
- question any person giving evidence
- limit the number of witnesses presented if it is agreed by all parties that they will support the person who requested their attendance, but will not provide any new evidence
- Video or photographic evidence, if available, may be presented. The arrangements to deliver such evidence must be made entirely by the persons having a need or a desire to offer this type of evidence.

D21. If the Tribunal considers that at any time during the Tribunal Hearing that there is any unreasonable or intimidatory behaviour from anyone permitted to be present, the Tribunal Chairperson shall have the power to stop any further involvement of the person in the Tribunal Hearing, and to remove any other such persons as he sees fit in order to return stability to the hearing.

D22. After all of the evidence has been presented the Tribunal Panel will make its decision in private. If the Tribunal believes the complaint has been substantiated on the balance of probabilities (i.e. more probable than not), the respondent will then be given an opportunity to address the Tribunal Panel and make a submission on any disciplinary measures that may be imposed. Any disciplinary measure imposed must be reasonable in all the circumstances.

D23. All decisions of the Tribunal will be by simple majority vote.

D24. The Tribunal Chairperson will advise the President of the SSAA (SA) Inc of any decision being made by the Tribunal as soon as practicably possible after the conclusion of the hearing. The President will then instruct the Chairperson to advise all those persons involved in the hearing and following that will declare the hearing closed.

D25. Within 24 hours of the hearing being declared closed the Tribunal Chairperson will:

- (a) Forward to the President of the SSAA (SA) Inc. a written copy of the official tribunal decision, including any disciplinary measures which have been imposed, and

- (b) Forward a letter to the respondent/s confirming the tribunal's decisions and any disciplinary measures imposed. The letter should also outline the procedures to lodge an appeal against a decision by the tribunal should such an appeal be permitted in any particular case.

D26 Appeals Procedure

An appeal by a respondent against a decision by a tribunal, or a complaint by a respondent whom is not satisfied with a decision in Step 7 of the Complaints procedure may be lodged to the President of the SSAA (SA) Inc. on one or more of the following basis:

- (a) That a denial of natural justice has occurred, or
- (b) That the disciplinary measure/s imposed is excessive, unjust or unreasonable.

D27. A person who intends to lodge an appeal must lodge a letter with the President of the SSAA (SA) Inc. stating their intention and the basis for their appeal. Such advice must be effected within seven days of the time when the relevant decision was advised. An appeal fee of \$200.00 (Two Hundred Dollars) shall be included with the letter of intention to appeal. This appeal fee is non-returnable except in circumstances as described below.

D28. If the President of the SSAA (SA) Inc. does not receive the letter of appeal within the relevant time period, the right of appeal will lapse. If the letter of appeal is received, but the appeal fee is not received by the relevant time allowed to lodge an appeal, the appeal shall be deemed to be withdrawn.

D29. Upon receipt of the letter of appeal, the President must convene a special meeting of the Executive Committee of the SSAA (SA) Inc. together with the Chairperson of the Tribunal to review the letter of appeal and decide whether there are sufficient grounds for the appeal to proceed. The Executive Committee of the SSAA (SA) Inc. will be able to invite any witnesses to the meeting it believes are required to make an informed decision.

D30. If it is considered that the letter of appeal has not shown sufficient and sustainable grounds for an appeal as described in Clause D26 above, then the appeal will not proceed and the person lodging the appeal will be notified of this decision and the reasons for it. The appeal fee will be forfeited.

D31. If the appeal is considered to have sufficient grounds to proceed, then a new panel will be convened to rehear the complaint, and a new Chairperson will be appointed. The appeal fee will be refunded. The Executive Committee of the SSAA (SA) Inc. shall follow the Tribunal Formation procedure as set out in D1 above.

D32. The Tribunal Hearing Procedure shall be followed for the appeal.

D33. The decision of the appeal Tribunal will be final and no further appeals will be permitted.

DISCIPLINARY MEASURES - PART E

1. Any disciplinary measure imposed by a Tribunal Hearing of the SSAA (SA) Inc. under this policy must:

- Observe any contractual and employment rules and requirements;
- Conform to the principles of natural justice;
- Be fair and reasonable;
- Be based on the evidence and information presented; and,
- Be within the powers of the Tribunal to impose the disciplinary measure/s

E2. Individual Disciplinary Measures

Subject to contractual and employment considerations, and in addition to those penalties outlined in Clause 10 of Part A of this Policy, if a finding is made that an individual or a member has breached an element of the Member Protection Policy, breached any Code of Conduct, wilfully disobeyed the lawful command of a Range Officer or of a Safety Officer, been found guilty of theft, committed an unsafe or dangerous act whilst within the precincts of the SSAA (SA) Inc Range Complex, or committed any other such act to the prejudice of good order and/or to the image of the Association, one or more of the following forms of discipline may be imposed by a Hearings Tribunal, or by the Executive Committee of the SSAA (SA) Inc.:

- (a) a direction that the individual makes a verbal or written apology;
- (b)** a written warning;
- (c) a direction that the individual attend counselling to address their behaviour;
- (d) a withdrawal of any awards, including Life Membership Status, or other achievements sanctioned by the President or the Executive Committee of the SSAA (SA) Inc.;
- (e) a demotion from any role or activity;
- (f) a suspension of the persons Branch membership;
- (g) termination of the persons Branch Membership;
- (h)** a recommendation to the Board of Management of the Sporting Shooters Association of Australia Incorporated (National parent organisation) that the persons membership to the Sporting Shooters

Association of Australia Incorporated be terminated;

- (i) in the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- (j) any other form of discipline that the Hearings Tribunal or the Executive Committee of the SSAA (SA) Inc. deems appropriate.

E3. When imposing any form of discipline, it will be accompanied by a warning that a similar breach of policy by that individual in the future may result in the imposition of a more serious form of discipline.

E4. Organisations

If a finding is made that a member Branch of the SSAA (SA) Inc. or that an affiliated club or association has breached the SSAA (SA) Inc. Member Protection Policy (including the Codes of Conduct), one or more of the following forms of discipline may be imposed by the Executive Committee of the SSAA (SA) Inc;

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

E5. When imposing any form of discipline it will be accompanied by a warning that a similar breach of policy by the organisation the future may result in more serious forms of discipline.

E6. Factors to consider when imposing discipline.

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

- Nature and seriousness of the behaviour or incidents;
- In a case where action is taken concurrently with, or in lieu, of a resolution of a formal complaint, the wishes of the complainant;
- If the individual concerned knew or should have known that the behaviour was a breach of the policy;
- The level of contrition of the respondent/s;
- If there have been any relevant prior warnings or disciplinary action; and/or,
- If there are any mitigating circumstances such that the respondent/shouldn't be disciplined at all, or not disciplined so seriously

Code of Conduct - Part F

F1. General Code of Conduct (Behaviour)

As a member of the SSAA (SA) Inc a member association or an affiliated club or a person required to comply with the SSAA (SA) Inc. member Protection Policy you must meet the following requirements with regard to your conduct during any activity held or sanctioned by the SSAA (SA)Inc. or its member branches, clubs or an affiliated club and in any role you hold within the SSAA (SA) Inc. a member association or an affiliated club:

1. Respect the rights, dignity and worth of others.
2. Be fair, considerate and honest in all dealing with others.
3. Be professional in, and accept responsibility for, your actions.
4. Make a commitment to providing quality service.
5. Be aware of, and maintain an uncompromising adherence to, the SSAA (SA) Inc. standards, rules, regulations and policies.
6. Operate within the rules of the sport including national and international guidelines that govern the SSAA (SA) Inc. the member associations and the affiliated clubs.
7. Do not use your involvement with the SSAA (SA) Inc. a member association or an affiliated club to

promote your own beliefs, behaviours or practices where these are inconsistent with those of the SSAA (SA) Inc. a member association or an affiliated club.

8. Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.

9. Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.

10. Refrain from any form of harassment of others.

11. Refrain from any behaviour that may bring the sport, a member association or an affiliated club into disrepute.

12. Provide a safe environment for the conduct of the activity.

13. Show concern and caution towards others who may be sick or injured.

14. Be a positive role model.

15. Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

F2. Administrator Code of Behaviour

In addition to the SSAA (SA) Inc. General Code of Behaviour, you must meet the following requirements with regard to your conduct during any activity held by, or under, the auspices of the SSAA (SA) Inc., a member association or an affiliated club and in your role as an administrator of the SSAA (SA) Inc. a member association or an affiliated club:

1. Resolve conflicts fairly and promptly through established procedures.

2. Maintain strict impartiality.

3. Be aware of your legal responsibilities.

F3. Coach Code of Behaviour

In addition to the SSAA (SA) Inc. General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the SSAA (SA) Inc., a member association or an affiliated club and in your role as a coach appointed by the SSAA (SA) Inc. a member association or an affiliated club:

1. Do not tolerate acts of aggression.
2. Provide feedback to competitors and other participants in a manner sensitive to their needs. Avoid overly negative feedback.
3. Recognise competitors' rights to consult with other coaches and advisers. Cooperate fully with other specialists and/or officials.
4. Treat all competitors fairly within the context of their sporting activities, regardless of gender, race, place of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socio-economic status and other conditions.
5. Encourage and facilitate competitors' independence and responsibility for their own behaviour, performance, decisions and actions.
6. Involve the competitors in decisions that affect them.
7. Encourage competitors to respect one another and to expect respect for their worth as individuals regardless of their level of skill.
8. Ensure that the tasks and/or training set are suitable for age, experience, ability, and physical and psychological conditions of the members.
9. Be acutely aware of the power that you as a coach develop with your members in the coaching relationship and avoid any sexual intimacy with members that could develop as a result.
11. Avoid situations with your members that could be construed as compromising.

12. Actively discourage the use of performance enhancing drugs, and the use of alcohol, tobacco and illegal substances.

13. Do not exploit any coaching relationship to further personal, political or business interests at the expense of the best interest of your members and competitors.

14. Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules.

15. Know and abide by rules, regulations and standards, and encourage competitors and members to do likewise. Accept both the letter and the spirit of the rules.

16. Be honest and ensure that qualifications are not misrepresented.

F4. Official Code of Behaviour

In addition to SSAA (SA) Inc. General Code of Behaviour, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by the SSAA (SA) Inc. a member association or an affiliated club and in your role as an official appointed by the SSAA (SA), a member association or an affiliated club:

1. Place the safety and welfare of the players/participants above all else.

2. Accept responsibility for all actions taken.

3. Be impartial.

4. Avoid any situation which may lead to a conflict of interest.

5. Be courteous, respectful and open to discussion and interaction.

6. Value the individual in sport.