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## **MEMBER PROTECTION POLICY**

### **POLICY STATEMENT**

NSW Darts is committed to providing an environment safe for children that is free from harassment and abuse for everyone, and promotes respectful and positive behaviour and values within our sport.

The policies in this document have been updated to include all the current relevant and required conditions, to provide a Code of Conduct that forms the basis of appropriate and ethical conduct that everyone in our sport must abide by.

This policy is an essential part of NSW Darts proactive and preventative approach to ensure that any inappropriate behaviour does not occur within our sport.

The objectives of this policy are to:

- Protect and provide a safe environment for all who participate in NSW Darts activities and events;
- Provide guidelines to its members for their protection while participating in Dart related activities and events;
- Assist in the maintenance of the high level of sportsmanship in Darts;
- Resolve problems relating to the conduct of players in their relations with each other, officials and the public; and
- Assist in maintaining a positive attitude towards officials.

NSW Darts Board of Management believes that everyone who participates in activities or events in our sport has the right to be treated with dignity and respect. They have the right to have any complaints or charges dealt with in a just manner and given the opportunity to be heard before any penalties are imposed.

## **PART A: MEMBER PROTECTION POLICY**

### **1. Introduction**

#### **NSW Darts Core Values**

New South Wales Darts Incorporated (herein after referred to as NSW Darts) is dedicated to the continued progress of the Sport of Darts in New South Wales by servicing the present and future needs of the Zones/Associations and their members.

NSW Darts is committed to accomplish this by continuously distinguishing the needs of all players, administrators and supporters. Demonstrate effective management, making optimum use of accessible resources and co-operating with its members in the search of excellence. It is the mission of NSW Darts, through unity, to encourage and promote the fostering of the Sport of Darts throughout New South Wales.

With vision, NSW Darts will promote and develop the game of Darts for all to play. It is an objective of NSW Darts for all Zones/Associations to be competitive at State, National and International levels and to be the organisation of excellence.

**NSW Values:**

- People working together;
- Co-operation between Zones/Associations, their members and the NSW Darts Board of Directors;
- Zone/Association members participating;
- Achieving Zone/Association optimal potential;
- The principle of social justice;
- Professionalism and integrity in the way we work;
- Friendship and sportsmanship.

**The object of NSW Darts is:**

1. For the Sport of Darts to build and maintain a stronger profile in New South Wales as a popular and successful sport;
2. To make Darts more marketable by raising the profile of the sport in a way that will increase people involvement;
3. To increase the number of Dart Players by providing a service: i.e. provide an infrastructure that will attract Zone/Association members and keep them involved in the sport;
4. Provide the maximum availability of the Sport of Darts to all in New South Wales and to ensure that access and equity is not denied on the basis of gender, age, disability, cultural background or location;
5. Ensure the standard of Darts in New South Wales is raised to a level that will improve the opportunity for consistent success at State, National and International levels;
6. Address the issues of Junior Darts in New South Wales by raising the profile of the sport at this level;
7. To establish a State infrastructure with a professional planned approach to Sports Development;
8. To seek ways of achieving financial security and independence for the Sport of Darts in all Zones/Associations in New South Wales;
9. Improve the business proficiency of NSW Darts by appropriately restructuring the Board of Management to meet the needs of the organisation;
10. To maintain strong representation at Darts Australia Meetings (herein after referred to as DA) and to positively contribute to DA organisational operations, policies and performances.

**2. Purpose of this Policy**

The Member Protection Policy aims to maintain ethical and informed decision-making and responsible behaviours within our sport. It outlines our commitment to a person's right to be treated with respect and dignity and to be safe and protected from abuse. This policy informs everyone involved in our sport of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

The policy attachments outline the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, NSW Darts will take disciplinary action against any person or organisation bound by this policy if they breach it. This policy has been endorsed by NSW Darts and has been incorporated into our By-Laws. The policy commenced with Darts Australia in 2006 and will operate until replaced. Copies of the current policy and its attachments can be obtained from NSW Darts website at [www.nswdarts.com.au](http://www.nswdarts.com.au) and from the NSW Darts Administrator.

**3. Who this Policy Applies To**

This policy applies to the following people, whether they are in a paid or unpaid/voluntary capacity participating in the Sport of Darts in New South Wales or under the control of NSW Darts:

- 3.1 Persons appointed or elected to Boards, Committees and Sub-Committees;
- 3.2 Employees and volunteers;
- 3.3 Members of the Executive;
- 3.4 Support personnel appointed or elected to teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers)

- 3.5 Coaches and Assistant Coaches
- 3.6 Athletes and Players;
- 3.7 referees, Umpires and other officials involved in the regulation of the sport;
- 3.8 Members, including Life Members;
- 3.9 Athletes, Coaches, Officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by BSW Darts;
- 3.10 Any other person including spectators, parents/guardians and sponsors, who or which agrees in writing (whether on a ticket, entry form or otherwise) to be bound by this policy;

This policy also applies to the following Associations:

- 3.11 Member Associations;
- 3.12 Affiliated Associations and Associated Organisations.

This policy will continue to apply to a person, even after they have stopped their association or employment with NSW Darts, if disciplinary action against that person has commenced.

#### 4. Responsibilities of the Organisation

NSW Darts, Active Members and Affiliated Associations must:

- 4.1 Adopt, implement and comply with this policy;
- 4.2 Make such amendments to their constitution, rules or Policies necessary for this Policy to be enforceable;
- 4.3 Publish, distribute and promote this Policy and the consequences of breaches;
- 4.4 Promote and model appropriate standards of behaviour at all times;
- 4.5 Promptly deal with any breaches or complaints made under this Policy in a sensitive, fair, timely and confidential manner;
- 4.6 Apply this Policy consistently;
- 4.7 recognise and enforce any penalty imposed under this Policy;
- 4.8 Ensure that a copy of this Policy is available or accessible to the persons and Associations to whom this Policy applies;
- 4.9 Use appropriately trained people to receive and manage complaints and allegations, e.g. Member Protection Information Officers and/or Complaints Officer and display the names and contact details in a way that is readily accessible; and
- 4.10 Monitor and review this Policy at least annually.

#### 5. Individual Responsibilities

Individuals bound by this Policy are responsible for:

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

#### 6. Position Statements

##### 6.1 Child Protection

NSW Darts acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. NSW Darts aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

- Prohibiting any form of abuse against children;

- Ensuring people have completed a satisfactory Working with Children Check where the relevant State law requires this (State/Territory requirements are summarised in Part C unsupervised contact with children);
- Promoting and enforcing our codes of behaviour, particularly for roles associated with juniors;
- Responding to all reports and complaints of abuse promptly, seriously and confidentially;
- Making the information about child protection available, particularly for roles associated with children;
- Adopting practices that reduce risks and provide the greatest opportunity of having a child safe environment.

Anyone who **reasonable** suspects that a child has been or is being abused by someone within our sport, is to report it immediately to the Police **or the** relevant Government Agency and the chairman of NSW Darts. Descriptions of the sorts of activity which may be abuse are in the Dictionary at Clause 10. If anyone suspects that a child is being abused by his or her parent/s, they are advised to contact the relevant Government Department for Youth, Family and **community** Services in their State/Territory. A person will not be victimised for reporting possible child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in Attachment D4.

## 6.2 Taking Images of Children

Images of children can be used inappropriately or illegally. NSW Darts requires that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure the parent knows the way the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If NSW Darts uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both first name and surname. We will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not display information about hobbies, likes/dislikes, school, etc., as this information can be used a grooming tools by paedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its success, etc. We require our members, member associations and clubs to do likewise.

## 6.3 Anti-Discrimination and Harassment

NSW Darts opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic, imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening, whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying, based on personal characteristics such as those listed in the Dictionary at Clause 10, are against the law. 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 Attachment D1 of this Policy. This will explain what to do about the behaviour and how NSW Darts will deal with the problem.

## 6.4 Sexual Relationships

NSW Darts takes the view that intimate relationships (whether or not of a sexual nature) between Coaches and Athletes, while not necessarily constituting harassment, can have harmful effects on the athlete, on other athletes and on the sport's public image. Such relationships may be perceived to be exploitative because there is usually a disparity between Coaches and Athletes in terms of authority, maturity, status, influence and dependence. Given there is always a risk that the relative power of the

Coach has been a factor in the development of such relationships, they should be avoided by Coaches at all levels. In the event that an Athlete attempts to initiate an intimate relationship, the Coach must take personal responsibility for discouraging such approaches, explaining the ethical basis for such actions. The Coach or Athlete may wish to approach NSW Darts Chairman or Complaints Officer if they feel harassed. Our complaints procedure is outlined in Attachment D1 of this Policy.

### **6.5 Pregnancy**

Everyone bound by this Policy must treat pregnant women with dignity and respect and any unreasonable barriers to participation by them in our sport should be removed. We will not tolerate any discrimination or harassment against pregnant women.

While many sporting activities are safe for pregnant women, there may be particular risks that apply to some women during pregnancy. Those risks will depend on the nature of the sporting activity and the particular pregnant woman's circumstances. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport.

NSW Darts recommends that pregnant women wanting to participate on our sport consult with their medical advisers, make themselves aware of the facts about pregnancy on sport, and ensure that they make informed decisions about participation. We will only require pregnant women to sign a disclaimer if we require other participants to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

### **6.6 Gender Identity**

Everyone bound by this Policy must treat people who identify as transgender fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. We will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender. Descriptions of the types of behaviour which could be regarded as transgender discrimination or harassment are provided in the Dictionary at Clause 10.

NSW Darts recognises that the exclusion of transgender people from participation in sporting events has significant implications for their health, well-being and involvement in community life. In general, NSW Darts will facilitate transgender persons participating in our sport with the gender with which they identify.

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

NSW Darts 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, we will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by NSW Darts.

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.

## 7. Complaints Procedures

### 7.1 Complaints

NSW Darts aims to provide a simple procedure for complaints based on the principles of procedural fairness (natural justice). Any person (a complainant) may report a complaint about a person/s or organisation bound by this Policy (respondent). Such complaints should be reported to the Chairman or Complaints Officer.

The lowest level at which a matter can be dealt with shall always be preferred. Therefore, if a complaint relates to behaviour or an incident that occurred at the:

- Association/Zone level or involves people operating at the Zone/Association level, then the complaint should be reported to and handled by the relevant Association in the first instance; or
- Club level or involves people operating at the Club level, then the complaint should be reported to and handled by the relevant Club in the first instance.

Only matters that relate to or occur at the State level and the most serious cases from Club and Zone/Association level should be referred to the State Body.

A complaint may be dealt with informally or formally. The complainant usually decides this unless the Chairman or the Complaints Officer considers that the complaint falls outside this Policy and would be better dealt with in another way and/or the law requires the complaint/allegation to be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our complaint procedures are outlined in Attachment D1. Individuals and organisations may also pursue their complaint externally under anti-discrimination, child protection, criminal, or other relevant legislation.

### 7.2 Vexatious Complaints & Victimisation

NSW Darts aims for our complaints procedure to have integrity and be free of unfair repercussion. If at any point in the complaints process the Chairman or the complaints Officer considers that a complaint has **knowingly** made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to NSW Darts Board of Management for appropriate action which may include disciplinary action against the complainant.

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

### 7.3 Mediation

NSW Darts aims to resolve complaints with a minimum of fuss. Complaints may be resolved by agreement between the people involved with no need for disciplinary action. Mediation allows those involved to be heard and to come up with mutually agreed solutions. Mediation may occur before or after the investigation of a complaint. If a complainant wishes to resolve the complaint with the help of a mediator, the chairman or Complaints Officer will, in consultation with the complainant, arrange for a neutral third party mediator where possible. Lawyers are not able to negotiate on behalf of the complainant and/or the respondent. More information on the mediation process is outlined in Attachment D2.

### 7.4 Tribunals

A Tribunal may be convened to hear a formal complaint:

- Referred to it by the Chairman or the Complaints Officer;

- Because of the serious nature of the complaint, or unable to be resolved at Zone/Association or Club level; **wand/or**
- For an alleged breach of this Policy.

Our Tribunal procedure is outlined in Attachment D5.

A respondent may lodge an appeal only to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our Appeals process is outlined in Attachment D5.

Any organisation bound by this Policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under the Policy.

## 8. What is a Breach of this Policy?

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

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

## 9. 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:

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

### 9.1 Individual

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

- 9.1.1 A direction that the individual make a verbal and/or written apology;
- 9.1.2 A written warning;
- 9.1.3 A direction that the individual attend counselling to address their behaviour;
- 9.1.4 A withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by NSW Darts;
- 9.1.5 A demotion or transfer of the individual to another location, role or activity;

- 9.1.6 A suspension of the individual's membership or participation or engagement in a role or activity;
- 9.1.7 Termination of the individual's membership, appointment or engagement;
- 9.1.8 A recommendation that NSW Darts terminate the individual's membership, appointment or engagement;
- 9.1.9 In the case of a Coach or Official, a direction that the relevant organisation de-register the accreditation of the Coach or Official for a period of time or permanently'
- 9.1.10 A fine;
- 9.1.11 Any other form of discipline that NSW Darts Board of Management considers appropriate.

## 9.2 Organisation

If a finding is made that a NSW Darts member or affiliated association has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by the Judicial Committee:

- 9.2.1 A written warning;
- 9.2.2 A fine;
- 9.2.3 A direction that any rights, privileges and benefits provided to that organisation by the State Body or other peak association be suspended for a specific period;
- 9.2.4 A direction that the State Body and peak associations cease to sanction events held by or under the auspices of that association;
- 9.2.5 A recommendation to the State Body and/or the Association that its membership of the State Body or peak association be suspended or terminated in accordance with the relevant Constitution or rules; and/or
- 9.2.6 Any other form of discipline that the State Body or peak organisation considers to be reasonable and appropriate.

## 9.3 Factors to Consider

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

- Nature and seriousness of the breach;
- If the person knew or should have known that the behaviour was a breach;
- Level of contrition;
- The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;
- If there have been any relevant prior warnings or disciplinary action;
- Ability to enforce discipline if the person is a parent or spectator (even if they are bound by the Policy); and/or
- Any other mitigating circumstances.

## 10. 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 definitions and more detail on some of the words in this Dictionary can be sourced from the relevant State/Territory Child Protection commissions or Equal Opportunity and Anti-Discrimination Commissions.

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

**Affiliated Association** means a kindred association or similar organisation affiliated with NSW Darts but without voting rights on the Board.

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

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

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

**Complaint** means a complaint made under Clause 7.1.

**Complainant** means a person making a complaint.

**Complaints Officer** means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy.

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

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

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

### Examples of Discrimination

- **Age:** A club refuses to allow an older person to coach a team simply because of age.
- **Breastfeeding:** A member of the club who is breastfeeding a baby in the club rooms is asked to leave.
- **Disability:** A junior player is overlooked because of mild epilepsy.
- **Family Responsibilities:** A club decides not to promote an employee because he has a child with a disability even though the employee is the best person for the job.
- **Gender Identity:** A transgender contract worker is harassed when employees refuse to call her by her female name.

- **Homosexuality:** An athlete is ostracised from her team after it becomes known that she is a lesbian.
- **Marital Status:** A player is deliberately excluded from team activities and social functions because she is single.
- **Pregnancy:** A woman is dropped from a squad when she becomes pregnant.
- **Race:** An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.
- **Sex:** Specialist coaching is only offered to male players in a mixed team.

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

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

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal.

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

Some exceptions to State and Federal Anti-Discrimination law apply. Examples include:

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

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

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

Public acts of hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some States and Territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see Vilification.

**Mediator** means an impartial/neutral person appointed to mediate Complaints.

**Member** means a member of NSW Darts namely Active Member, Affiliated Association, Life Member, Representative Member and Player Member.

**Natural Justice (also referred to as Procedural Fairness)** incorporated the following principles:

- Both the Complainant and the Respondent must know the full details of what is being said against them and have the opportunity to respond;
- All relevant submissions must be considered;
- No person may judge their own case;

- The decision maker/s must be unbiased, fair and just;
- The penalties imposed must be fair.

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

**This Policy** means this Member Protection Policy.

**Respondent** means the person who is being complained about.

**Role-specific Codes of Conduct (or Behaviour)** means standard 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 Offense** means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under State/Territory legislation):

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

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

**Victimisation** means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under Government Legislation (e.g. anti-discrimination) or under this Policy, or for supporting such a person.

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

## PART B: CODES OF BEHAVIOUR

Our society expects high standards of behaviour from all people involved in sport and it is vital these expectations are met and the integrity of sport maintained.

Regardless of the nature of a person's involvement in sport, *The Essence of Australian Sport* provides four guiding principles that lead to appropriate behaviour: Fairness, Respect, Responsibility and Safety.

- Fairness – operating in the spirit of the rules, never taking an unfair advantage and making informed and honourable decisions at all times.
- Respect – recognising the contribution people make to sport, treating them with dignity and consideration, as well as caring for the property and equipment they use.
- Responsibility – taking responsibility for own actions and being a positive role model at all times.
- Safety – encouraging healthy and safe procedures and preventing and reporting dangerous behaviour, while demonstrating concern for others.

### 1. General Code of Behaviour

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

- a) Respect the rights, dignity and worth of others;
- b) Be fair, considerate and honest in all dealing with others;
- c) Be professional in, and accept responsibility for, your actions;
- d) Make a commitment to providing quality service;
- e) Be aware of, and maintain an uncompromising adherence to, NSW Darts standards, rules, regulations and policies.
- f) Operate within the rules of the sport including national and international guidelines which govern NSW Darts, the member associations and the affiliated clubs;
- g) Do not use your involvement with NSW Darts, a member association or an affiliated club to promote your own beliefs, behaviours or practices where these are inconsistent with those of NSW Darts, a member association or an affiliated association
- h) 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;
- i) Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible;
- j) Refrain from any form of harassment of others;
- k) Refrain from any behaviour that may bring NSW Darts, a member association or an affiliated association into disrepute;
- l) Provide a safe environment for the conduct of the activity;
- m) Show concern and caution towards others who may be sick or injured;
- n) Be a positive role model;
- o) Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

### 2. Administrator (Volunteer) Code of Behaviour

In addition to the NSW Darts General Code of conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by NSW Darts, a member association or an affiliated association and in your role as a player/participant in any activity held by or under the auspices of NSW Darts, a member association or an affiliated association.

- a) Be fair, considerate and honest in all dealings with others. Act honestly, in good faith and in the best interests of the sport as a whole.
- b) Be professional in, and accept responsibility for you actions. Your language, presentation, manners ad punctuality should reflect high standards.
- c) Resolve conflicts fairly and promptly through established procedures.
- d) Maintain strict impartiality.
- e) Be aware of your legal responsibilities.
- f) Keep up to date with the latest trends in administration and the principles of growth and development of the sport of darts.
- g) Involve young people in planning, leadership, evaluation and decision making related to junior activities.
- h) Ensure that rules, equipment, length of games and training schedule are modified to suit the age, ability and maturity level of younger players.
- i) Provide quality supervision and instruction for junior players.
- j) Remember young people participate for their enjoyment and benefit. Do not overemphasise awards.
- k) Help coaches and officials highlight appropriate behaviour and skill development, and help improve the standards of coaching and officiating.
- l) Modify rules and regulations to match the skill levels and needs of young people.
- m) Ensure that everyone involved in junior darts emphasises fair play and not winning at all costs.
- n) Provide a Code of Conduct sheet to spectators, officials, coaches, players and the media, end encourage them to follow it.
- o) Remember that you set an example. Your behaviour and comments should be positive and supportive.
- p) Make it clear that abusing young people in any way is unacceptable and will result in disciplinary action being taken by the NSW Darts Judicial Committee.

### 3. Coach Code of Behaviour

In addition to NSW Darts General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by NSW Darts, a member association or an affiliated association and in your role as a coach appointed by NSW Darts, a member association or an affiliated association.

- a) Do not tolerate acts of aggression.
- b) Provide feedback to players and other participants in a manner sensitive to their needs. Avoid overly negative feedback. Help each athlete and complement and encourage with positive and supportive feedback.
- c) Recognise players' rights to consult with other coaches and advisers. Cooperate fully with other specialists (e.g. sports scientists, doctors and physiotherapists).
- d) Treat all players fairly within the context of their sporting activities, regardless of gender, race, **ace** of origin, athletic potential, colour, sexual orientation, religion, political beliefs, socioeconomic status and other conditions. Ensure that your actions contribute to a harassment free environment.
- e) Encourage and facilitate players' independence and responsibility for their own behaviour, performance, decisions and actions.
- f) Involve the players in decisions that affect them.
- g) Encourage players to respect one another and to expect respect for their worth as individuals regardless of their level of play.
- h) Ensure that the tasks and/or training set are suitable for age, experience, ability, and physical and psychological conditions of the players. Ensure that your actions contribute to a safe environment.
- i) Ensure any physical contact with players is appropriate to the situation and necessary for the player's skill development.
- j) Be acutely aware of the power that you as a coach develop with your players in the coaching relationship and avoid any sexual intimacy with players that could develop as a result. Refrain

from any form of sexual harassment towards the athletes. Any physical contact with a person should be appropriate to the situation and necessary for the player's skill development.

- k) Avoid situations with your players that could be construed as compromising. Ensure interaction with persons under the age of 18 years is appropriate and that unaccompanied and unobserved activities are avoided wherever practical.
- l) Actively discourage the use of performance enhancing drugs, and the use of alcohol, tobacco and illegal substances. Adopt appropriate behaviour in relation to the use of alcohol and recreational and performance enhancing drugs.
- m) Do not exploit and coaching relationship to further personal, political or business interests at the expense of the best interest of your players.
- n) Accept and respect the role of officials in ensuring that competitions are conducted fairly and according to established rules. Respect officials' decisions.
- o) Know and abide by rules, regulations and standards, and encourage players to do likewise. Accept both the letter and the spirit of the rules. Operate within the rules and spirit of your sport, promoting fair play over winning at any cost.
- p) Be honest and ensure that qualifications are not misrepresented.
- q) Treat all players with respect at all times. Be fair, considerate, honest and consistent with them. Treat each person as an individual.
- r) Refrain from conduct, which could be regarded as harassment towards your players and other coaches, officials and parents. Display control, tolerance and courtesy to all involved with the sport.
- s) Encourage opportunities for participants to learn appropriate behaviours and skills.
- t) Encourage participation in all aspects of the sport.
- u) Act with integrity and accept responsibility for your actions.

Coaches Code of Behaviour Agreement Form: All Coaches are to sign the Code of Behaviour Agreement form (see Attachment B!) for accreditation to the National Coaching Accreditation Scheme. Signing the agreement form binds coaches to conform to NSW Darts Code of Behaviour requirements.

#### 4. Official Code of Behaviour

In addition to NSW Darts Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by NSW Darts, a member association or an affiliated association and in your role as an official appointed by NSW Darts, a member association or an affiliated association.

- a) Place the safety and welfare of the players/participants above all else.
- b) Accept responsibility for all actions taken.
- c) Be impartial.
- d) Avoid any situation which may lead to a conflict of interest.
- e) Be courteous, respectful and open to discussion and interaction.
- f) Value the individual in sport.
- g) Condemn unsporting behaviour and promote respect for all opponents.
- h) Encourage and promote rule changes that will make participation more enjoyable.
- i) Place the safety and welfare of the participants above all else.

#### 5. Player Code of Behaviour

In addition to NSW Darts General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by NSW Darts, a member association or an affiliated association and in your role as a player/participant in any activity held or sanctioned by or under the auspices of NSW Darts, a member association or an affiliated association.

- a) Respect the rights, dignity and worth of fellow players, coaches, officials and spectators.
- b) Do not tolerate acts of aggression or abusive behaviours.

- c) Respect the talent, potential and development of fellow players and competitors. Value the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.
- d) Care for and respect the equipment provided to you as part of your program.
- e) Be frank and honest with your coach concerning illness and injury and your ability to train fully within the program requirements.
- f) At all times avoid intimate relationships with your coach.
- g) Conduct yourself in a professional manner relating to language, temper and punctuality. Display control, tolerance and courtesy to all involved with the sport.
- h) Maintain high personal behaviour standards at all times.
- i) Abide by the rules and respect the decision of the official, making all appeals through the formal process and respect the final decision. Operate within the rules and spirit of your sport, promoting fair play over winning at any cost.
- j) Be honest in your attitude and preparation to training. Work equally hard for yourself and your team. Give your best at all times.
- k) Cooperate with coaches and officials in development of programs to adequately prepare you for competition at the highest level. Respect the decisions of officials, coaches and administrators.
- l) Refrain from conduct, which could be regarded as harassment towards fellow players, coaches and referees. Participate for your own enjoyment and benefit.
- m) Encourage opportunities for participants to learn appropriate behaviour and skills.
- n) Encourage participation in all aspects of the sport.
- o) Treat each person as an individual.
- p) Ensure interaction with persons under the age of 18 years is appropriate and that unaccompanied and unobserved activities are avoided wherever practical.
- q) Adopt appropriate behaviour in relation to the use of alcohol and recreational and performance enhancing drugs.
- r) Ensure your actions contribute to the safe environment.
- s) Ensure your actions contribute to a harassment free environment.

## 6. Parent/Guardian Code of Behaviour

As a parent/guardian of a player/participant in any activity held by or under the auspices of NSW Darts, a member association or an affiliated association, you must meet the following requirements in regard to your conduct during any such activity or event.

- a) Respect the rights, dignity and worth of others
- b) Remember that your child participates in sport for their own enjoyment, not yours.
- c) Focus on your child's efforts and performance rather than winning or losing.
- d) Never ridicule or yell at your child and other children for making a mistake or losing a competition. Encourage children to participate and have fun. Focus on the child's effort and performance rather than winning or losing.
- e) Show appreciation for good performance and skilful plays by all players (including opposing players).
- f) Demonstrate a high degree of individual responsibility especially when dealing with or in the vicinity of persons under 18 years of age, as your words and actions are an example.
- g) Respect officials' decisions and teach children to do likewise.
- h) Do not physically or verbally abuse or harass anyone associated with the sport (players, coach, official and so on).
- i) Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.
- j) Be a positive role model.
- k) Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

## **7. Spectator Code of Behaviour**

As a spectator in any activity held by or under the auspices of NSW Darts, a member association or an affiliated association, you must meet the following requirements in regard to your conduct during any such activity or event:

- a) Respect the decisions of officials and teach young people to do the same.
- b) Never ridicule or scold a young player for making a mistake. Positive comments are motivational.
- c) Condemn the use of violence in any form, whether it is by other spectators, coaches, official or players.
- d) Show respect for your team's opponents. Without them there would be no game.
- e) Do not use violence, harassment or abuse in any form (i.e. do not use foul language, sledge or harass players, coaches, officials or other spectators).
- f) Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.
- g) Applaud good performance and efforts from all players and teams. Congratulate all players' efforts of all individuals and teams.
- h) Encourage players to follow the rules and accept the officials' decisions.

**Attachment B1**

**To:** NSW Darts

I,.....  
Full Name

Of.....  
Full Address

I am seeking accreditation / reaccreditation (please circle) for the following Australian Sports Commission (ASC) qualification:

DARTS Level One / Level Two (please circle)

***I agree to the following terms:***

1. I agree to abide by NSW Darts Coaches Code of Behaviour overleaf.
2. I acknowledge that NSW Darts may take disciplinary action against me if I breach the Code of Behaviour. I understand that NSW Darts is required to implement a complaints handling procedure in accordance with the principles of natural justice, in the event of an allegation against me.
3. I acknowledge that disciplinary action against me include de-accreditation from the National Coaching Accreditation Scheme/ National Officiating Accreditation Scheme.

Signature: \_\_\_\_\_  
(If under 18, parent/ guardian signature)

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Please refer to NSW Darts Member Protection Policy for further information.

**(NOTE: COPY OF COACHES CODE OF BEHAVIOUR IS TO BE PRINTED ON BACK OF THIS FORM)**

**Coaches Code of Behaviour**

**Agreement Form**

For Accreditation or Re-accreditation to the National Coach Accreditation Scheme (NCAS)

## **PART C: SCREENING / WORKING WITH CHILDREN CHECK REQUIREMENTS**

### **Background**

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 the reporting and investigation of cases of child abuse.

Working with children check (WWCC) laws aim to prevent people who pose a risk from working with children as paid employees or volunteers. In New South Wales, Queensland, Western Australia, Victoria and South Australia laws require individuals involved in all areas such as sport and recreation to undertake a check to determine their suitability to work (in a paid or volunteer capacity) with children. This is done by checking certain criminal history and other matters. In some States this also involves reviewing relevant findings from disciplinary proceedings. There are also requirements placed on organisations.

The Northern Territory has passed a law and screening has been compulsory since January 2010. The Australian Capital Territory and Tasmania are also reviewing their screening laws. New requirements will be added to this policy as they are introduced.

Please be aware that State and Territory WWCC requirements may also apply to individuals who visit States with screening laws. For example: If a State Association or Club brings players U18 into New South Wales for training camps, competition or other activities, those travelling with the teams must comply with NSW law.

The State WWCC requirements apply regardless of our National, State or Association Member Protection Policy.

The following attachments provide:

- Summary information on State and Territory WWCC requirements and where to obtain more information and relevant forms;
- Our Member Protection Declaration (in NSW all must complete a Prohibited Employment Declaration provided by the NSW Commission for Children and Young People);
- Screening requirements for people residing in ACT and Tasmania.

**Attachment C1: SCREENING REQUIREMENTS**

(For those from States/Territories without Working With Children Checks such as ACT and Tasmania)

This attachment sets out the screening process for people in NSW Darts who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years. NSW darts will, and also requires Associations and Clubs to:

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

**Attachment C2: MEMBER PROTECTION DECLARATION**

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

I (name).....

Of (address).....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 sexual offences, offences related to children or acts of violence **or** the use of illicit drugs.
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, other forms of harassment or acts of violence or the use or distribution of illicit drugs.
4. I am not currently serving a sanction for an anti-doping rule violation under an ASADA approved anti-doping policy applicable to me.
5. I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA approved anti-doping policy applicable to me.
6. To my knowledge there is no other matter that NSW Darts may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the Chairman or his nominee of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in clauses [1 to 6] above has changed.

Declared in the (State/Territory/City) of .....

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

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

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

Name: .....

Signature: .....

Date: .....

## Attachment C3: WORKING WITH CHILDREN CHILD PROTECTION

### REQUIREMENTS

The following information was updated in April 2009. It is subject to change at any time (updated 2013).

#### 1. QUEENSLAND

A person will need a Working with Children check, also known as the **blue card**, if they propose to work in a paid or voluntary capacity or to carry on a business in a child-related area regulated by the *Commission for children and Young People and Child guardian Act 2000*. Once a person is checked and approved they are issued with a "blue card". Volunteers and paid employees employed in sporting organisations generally fall under the 'churches, clubs and associations' category of regulated employment. Volunteers and paid employees employed in private businesses may fall under the 'sport and active recreation' category of regulated employment. The check is a detailed national criminal history check including charges and investigations relating to children.

People such as those with previous convictions involving children are disqualified from applying for or renewing a blue card (refer to website below for details).

A blue card remains current for two years. Existing card holders will be notified by the Queensland Commission for Children and Young People and Child Guardian before their card expires.

In addition to obligations regarding the blue card, **employers** must develop and implement a written child protection risk management strategy and review it each year.

For more information on the blue card, including current forms:

- [www.ccytg.qld.gov.au](http://www.ccytg.qld.gov.au)
- 1800 113 611

#### 2. NEW SOUTH WALES

All organisations within NSW that employ people in child-related employment (in a paid or unpaid capacity) must meet the requirements of the Working with Children Check (WWCC). Child related employment is work which primarily involves direct unsupervised contact with children. The WWCC involves three components:

1. **Ensuring** all paid and unpaid employees sign a **Prohibited Employment Declaration** which states they are not prohibited from working with children.
2. **Submitting** all applicants for **paid** employment to NSW Sport and Recreation for a WWCC background check. NSW Sport and Recreation only carries out checks for paid employees.
3. **Reporting** relevant employment proceedings for any paid and unpaid employees to the Commission for Children and Young People. A relevant employment proceeding involves any reportable conduct committed outside of work as well as in the workplace with or in the presence of children.

Sporting organisations are responsible for managing the WWCC process. Individuals cannot apply for a WWCC directly. Sporting organisations should register with NSW Sport and Recreation, providing a contact who will receive the information on the background checks.

A WWCC is valid for employment in that position within the organisation. Short-term employees (where that person is being employed for periods of less than six months and returning for short periods throughout a twelve month period) only need to be checked **once** every 12 months.

For more information, including the required forms:

- [www.kids.nsw.gov.au](http://www.kids.nsw.gov.au) or 02 9286 7219
- [www.dsr.nsw.gov.au/children/resources.asp](http://www.dsr.nsw.gov.au/children/resources.asp) or 02 9006 3700

### 3. WESTERN AUSTRALIA

The Working with Children Check (WWC Check) is a compulsory and rigorous criminal record check for certain people who carry out 'child-related work' in WA. A person is in 'child-related work' if the usual duties of their work involves, or is likely to involve, contact with a child in connection with specified categories of work (see the website below for further details). It includes child-related work carried out by paid employees, volunteers, unpaid people and the self-employed. Parents volunteering in connection with their child's activity are exempt (although this does not apply to overnight camps); however they should still be required to complete the non-WWC Check screening process. There are other exemptions, e.g. volunteers under 18 years old. Further details about exemptions can be found on the website below. Only those in child-related work under the Act may apply.

Applicants will be issued with either:

- An Assessment Notice in the form of a WWC Card enabling them to be in all types of child-related work for three years unless there are new offences of concern.
- An Interim Negative Notice, which prohibits them from child-related work until a final decision is made on their application.
- A Negative Notice, which prohibits them from child-related work.

There are set obligations and strong penalties for non-compliance including employers and volunteer coordinators.

For more information:

- [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au) or call 1800 883 979 (toll free)

### 4. VICTORIA

The Working with Children (WWC) Check creates a mandatory minimum checking standard across Victoria. The *Working with Children Act 2005* requires that some people who work or volunteer in child related work require a WWC check. The check involves a national police records check and a review of relevant findings from prescribed professional disciplinary bodies (currently on the Victorian Institute of Teaching). There is an exemption for volunteers whose own children are involved in the particular activity; however they should still be required to complete the screening process.

A person who has no criminal or professional disciplinary history will be granted an *assessment notice*. This notice will entitle the person to undertake child-related work in Victoria and is valid for five years (unless revoked). A person deemed unsuitable to work or volunteer with children will be given a *negative notice* and cannot work in child-related work in Victoria.

For more information:

- [www.justice.vic.gov.au/workingwithchildren](http://www.justice.vic.gov.au/workingwithchildren) or 1300 652 879

## 5. SOUTH AUSTRALIA

There are provisions under the *Children's Protection (Miscellaneous) Amendment Act 2005* that apply to non-government and volunteer organisations that are entrusted with the care of children or who regularly come into contact with children. These provisions require organisations to have strategies in place to prevent and minimise opportunities for abuse and to appropriately respond when abuse occurs or is suspected, and to implement guidelines and processes that clearly define effective and timely responses to child protection issues and steps of action.

Be aware that criminal history reports are likely to be introduced and mandatory for some positions in sporting organisations from 2010/2011.

Staff and volunteers who work with children are mandated notifiers and have a legal obligation to report any suspected child abuse and/or neglect.

For more information:

- [www.families.sa.gov.au/childsafe](http://www.families.sa.gov.au/childsafe) or 08 8226 7000

## 6. NORTHERN TERRITORY

From January 2010, all persons employed in child related work, either paid or as a volunteer, must hold a valid clearance notice issued by the SAFE NT Screening Authority. There are penalties for failure to comply. Sports coaches, trainers, team administrators, officials and volunteers of Sporting Organisations that deal with children are caught.

Clearance notices are valid for two years from date of issue unless revoked, and are transferable within employment fields. As a part of the assessment process, SAFE NT will consider the applicant's criminal history record and other relevant information.

For more information contact 1800 SAFE NT (1800 723 368)

## **PART D: COMPLAINT HANDLING PROCEDURES**

### **Attachment D1: COMPLAINTS PROCEDURE**

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

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

If you wish to remain anonymous, NSW Darts may have difficulty in assisting you to resolve your complaint. Procedural fairness (natural justice) means that NSW Darts is required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond.

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

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

#### **Step 2: Contact a Member Protection Officer**

Talk with one of our Complaints Officers if:

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

A list of our sport's Complaints Officers can be found on the NSW Darts website: [www.nswdarts.com.au](http://www.nswdarts.com.au)

The Complaints Officer will:

- Take confidential notes about your complaint;
- Try to find out the facts of the problem;
- Ask what outcome/how you want the problem resolved and if you need support;
- Provide possible options for you to resolve the problem;
- Act as a support person if you so wish;
- Refer you to an appropriate person (e.g. Mediator) to help you resolve the problem, **if necessary**;
- Inform the relevant government authorities and/or police if required by law to do so;
- Maintain confidentiality.

#### **Step 3: Outcomes from Initial Contact**

After talking with the Complaints Officer, you may decide:

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

## FORMAL APPROACHES

### Step 4: Making a Formal Complaint

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

- Make a formal complaint in writing to the relevant organisation's Secretary; **or**
- Approach a relevant external agency, such as an anti-discrimination commission, for advice.

On receiving a formal complaint and based on the material you have provided, the organisation's Secretary will decide whether:

- They are the most appropriate person to receive and handle the complaint;
- The nature and seriousness of the complaint warrants a formal resolution procedure;
- To appoint a person to **investigate** (gather more information on) the complaint;
- To refer the complaint to mediation;
- To refer the matter to the police or other appropriate authority; **and/or**
- To implement any interim arrangements that will apply until the complaint process set out in these Procedures is completed.

In making the decision(s) outlines above, the organisation's Secretary will take into account:

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

If the organisation's Secretary is the appropriate person to handle the complaint, they will, to the extent that these steps are necessary:

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

### Step 5: Investigation of the Complaint

- A person appointed under Step 3 will conduct an investigation and provide a written report to the organisation's Secretary/President/Chairperson who will determine what further action to take;
- If the complaint is referred to mediation, it will be conducted in accordance with Attachment D2 or as otherwise agreed by you and the respondent and the mediation provider;
- If the complaint is referred to the police or other appropriate authority, NSW Darts will use its best endeavours to provide all reasonable assistance required by the police or other authority.

Any costs relating to the complaint process set out in the Policy (e.g. investigation and/or mediation and/or hearings tribunal) are to be met by the organisation, unless otherwise stated.

**Step 6: Reconsideration of initial outcome/investigation or appeal**

If, under the formal process, mediation is unsuccessful, you may request that the Secretary/ President / Chairperson reconsider the complaint in accordance with **Step 3**.

You, or the respondent(s), may be entitled to appeal. The grounds and process for appeals under **thos** Policy are set out in Attachment D5.

**Step 7: Documenting the resolution**

Secretary/President/Chairperson will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a State/ District level, the information will be stored in the State Association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the National level, the original document will be stored at the National office with a copy stored at the State office.

**EXTERNAL APPROACHES**

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

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

If you do lodge a complaint under anti-discrimination law, you may use an appropriate person (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.

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

**Attachment D2: MEDIATION**

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. This attachment outlines the general procedure of mediation that will be followed by NSW Darts.

1. If mediation is chosen, the Secretary/President/Chairperson will, under the direction of the relevant organisation of NSW Darts and in consultation with the complainant and the respondent(s), arrange for a mediator.
2. The mediator's role is to assist the complainant and the respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the complainant and respondent(s), will choose the procedures to be followed during the mediation. At the minimum, an agenda of issues for discussion will be prepared by the mediator.
3. The mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached which will be signed by them as their agreement.
5. If the complaint is not resolved by mediation, the complainant may:
  - a. Write to the organisation's Secretary/President/Chairperson to request that they reconsider the complaint in accordance with **Step 3**; or
  - b. Approach the external agency such as an anti-discrimination commission.
6. Mediation will **not** be recommended if:
  - a. The respondent has a completely different version of events and will not deviate from these;
  - b. The complainant or respondent are unwilling to attempt mediation;
  - c. Due to the nature of the complaint, the relationship between the complainant and the respondent(s) or any other relevant factors, the complaint is not suitable for mediation; or
  - d. The matter involves proven serious allegations, regardless of the wishes of the Complainant.

**Attachment D3: INVESTIGATION PROCESS**

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

1. We will provide a written brief to the investigator clarifying terms of engagement and roles and responsibilities. The investigator will:
  - 1.1 Interview the complainant and record the interview in writing.
  - 1.2 Convey full details of the complaint to the respondent(s) so they can respond.
  - 1.3 Interview the respondent to allow them to answer the complaint and record the interview in writing.
  - 1.4 Obtain statements from witnesses and other relevant evidence to assist in a determination, if there is a dispute over the facts.
  - 1.5 Make a finding as to whether the complaint is:
    - Substantiated (there is sufficient evidence to support the complaint);
    - Inconclusive (there is insufficient evidence either way);
    - Unsubstantiated (there is sufficient evidence to show that the complaint is unfounded); and/or
    - Mischievous, vexatious or knowingly untrue.
  - 1.6 Provide a report to the Secretary/President/Chairperson documenting the complaint, investigation process, evidence, finding and, if requested, recommendations.
2. We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points that are substantiated, inconclusive, unsubstantiated and/or mischievous.
3. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person/adviser (e.g. MPIO or other person).
4. The complainant and the respondent(s) may have the right to appeal against any decision based on the investigation. Information on our appeals process is in Attachment D5.

## Attachment D4: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

An allegation of child abuse is a very serious matter and must be handled with a high degree of sensitivity. It is not the responsibility of anyone working in NSW Darts in a paid or unpaid capacity to decide whether or not child abuse has taken place. However, there is a responsibility to act on any concerns by reporting these to the appropriate authorities. The following outlines the key steps to follow. More information can be obtained from State or Territory government agencies.

### Step 1 – Initial Receipt of an Allegation

If a child or young person discloses an allegation involving harm or abuse to them or another child, then it is crucial that you:

- Stay calm;
- Listen, be supportive and do not dispute what the child says;
- Reassure the child that what has occurred is not the fault of the child;
- Be honest with the child and explain that other people may need to be told in order to stop what is happening;
- Ensure you are clear about what the child has said but do not elicit detailed information, ask leading questions or offer an opinion;
- Act promptly to accurately record the discussion in writing;
- Do not discuss the details with any person other than those detailed in these procedures; and
- Do not contact the alleged offender.

### Step 2 – Report Allegations

- Immediately report any allegations or disclosure of child abuse or situation involving a child at risk of harm to the police and/or government child protection agency. You may need to report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the complaint should be reported (e.g. the allegation may relate to poor/inappropriate practice).
- If the child's parent/s is suspected of committing the abuse, you should report the allegation to the relevant government agency.
- If the allegation involves anyone to whom our policy applies, then also report the allegation to the Chairman of NSW Darts so that they can manage the situation (e.g. contact the parents following advice from the authorities, deal with any media enquiries and manage steps 3 and 4).

### Step 3 – Protect the Child and Manage the Situation

- The *organisation's Secretary/President/Chairperson* will assess the risks and take interim action to ensure the child's/children's safety. Action the organisation may implement includes 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 Secretary/President/Chairperson will consider the kind of support that the children and parents may need (e.g. counselling, helplines, support groups).
- The Secretary/President/Chairperson will also put in place measures to protect the child and the person against whom the complaint is made from victimisation and gossip. If the person is stood down, it should be made clear to any persons aware of the incident that this does not mean the respondent is guilty and a proper investigation will be undertaken.

**Step 4 – Internal Action**

- Where there is an allegation made against a person to whom this policy applies, there may be three types of investigations:
  - Criminal (conducted by police);
  - Child protection (conducted by child protection authority);
  - Disciplinary or misconduct (conducted by the Darts organisation).
- Irrespective of the findings of the child protection and/or police inquiries, the Darts organisation will assess the allegation to decide whether the person should be reinstated, banned, have their employment or position terminated or any other action.
- The decision-maker(s) will be the Secretary/President/Chairperson of the Darts organisation and it will consider all the information, including the findings of the police, government agency and/or court, and determine a finding, recommend action and explain its rationale for the action. This may be a difficult decision particularly where there is insufficient evidence to uphold any action by the police.
- If disciplinary action is to be taken, NSW Darts will advise and provide a report to the relevant government authority should this be required (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).

## Attachment D5: HEARINGS & APPEALS TRIBUNAL PROCEDURE

The following will be followed by hearings tribunals established by NSW Darts to hear State member protection related complaints.

### Preparing for Tribunal Hearing

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

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

The respondent(s) will be allowed to participate in all NSW Darts activities and events, pending the decision of the Judicial Committee, including any available appeal process, unless the Board of Management believes it is necessary to exclude the respondent(s) from all or some NSW Darts activities and events, after considering the nature of the complaint.

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

- If complainant is a minor, they should have a parent or guardian present.

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

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

### **Tribunal Hearing Procedure**

9. The following people will be allowed to attend the Tribunal Hearing:
  - The Tribunal members;
  - The respondent(s);
  - The complainant;
  - Any witnesses called by the respondent;
  - Any witnesses called by the complainant;
  - Any parent/guardian or support person required to support the respondent or the complainant.
10. If the respondent(s) is not present at the set hearing time and the Tribunal Chairperson considers that no valid reason has been presented for the absence, the Tribunal Hearing will continue subject to the Tribunal Chairperson being satisfied that all Tribunal notification requirements have been met.
11. If the Judicial Committee Chairperson considers that a valid reason for the non-attendance of the respondent(s) has been presented, or the Tribunal Chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal will be rescheduled to a later date.
12. The Judicial Committee chairperson will inform the President of the need to reschedule, and the Secretary will organise for the Tribunal to be reconvened.
13. The Tribunal Chairperson will read out the complaint, ask the respondent(s) if they understand the complaint and if they agree or disagree with the complaint.
14. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Judicial Committee when determining any disciplinary measures (penalty).
15. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
  - Reference may be made to brief notes.
  - The complainant may call witnesses.
  - The respondent(s) may question the complainant and witnesses.
16. The respondent(s) will then be asked to respond to the complaint.
  - Reference may be made to brief notes.
  - The respondent may call witnesses.
  - The complainant may ask questions of the respondent and witnesses.

17. Both the complainant and respondent may be present when evidence is presented to the Tribunal.  
Witnesses may be asked to wait outside the hearing until required.
18. The Tribunal may:
- Consider any evidence, and in any form, that it deems relevant.
  - Question any person giving evidence.
  - Limit the number of witnesses presented to those who provide any new evidence.
  - Require the attendance of any witness it deems relevant.
  - Act in an inquisitorial manner in order to establish the truth of the issue/case before it.
19. Video evidence, if available, may be presented. The arrangements must be made entirely by the person/s wishing to offer this type of evidence.
20. If the Tribunal considers that at any time during the Tribunal Hearing that there is any unreasonable or intimidatory behaviour from anyone the chairperson may stop further involvement of the person in the hearing.
21. After all of the evidence has been presented the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has been substantiated on the balance of the probabilities (i.e. more probable than not). As the seriousness of the allegation increases, so too must the level of satisfaction of the Tribunal that the complaint has been substantiated. The respondent will be given an opportunity to address the Tribunal on disciplinary measures which might be imposed.  
Disciplinary measures must be reasonable in the circumstances.
22. All Tribunal decisions will be by majority vote.
23. The Judicial Committee Chairperson will announce the decision in the presence of all those involved in the hearing and will declare the hearing closed, or may advise those present that the decision is reserved and will be handed down in written form.
24. Within 48 hours, the Judicial Committee Chairperson will:
- Forward to the Secretary a copy of the Judicial Committee's decision including any disciplinary measures imposed.
  - Forward a letter to the respondent(s) confirming the Judicial Committee's decision and any disciplinary measures imposed. The letter should outline, if allowed, the process and grounds for an appeal. Where the matter is of unusual complexity or importance, the Judicial Committee Chairperson may inform parties in writing within 48 hours that the decision will be delayed for a further 48 hours.
25. The Tribunal does not need to provide written reasons for its decision.

### Appeals Procedure

26. A complainant or respondent(s) who is not satisfied with the decision of a Complaints Manager, the outcome of mediation or a Tribunal decision can lodge one appeal to NSW Darts on one or more of the following bases:
- 26.1 That a denial of natural justice has occurred; **or**
- 26.2 That the disciplinary measure(s) imposed is unjust and/or unreasonable;
- 26.3 **th**at the decision was not supported by the information/evidence provided to the Complaints Officer/Mediator/Judicial Committee.
27. A person wanting to appeal in accordance with clause 26 must lodge a letter setting out the basis for their appeal with the Secretary within 14 days of the relevant decision.

28. If the letter of appeal is not received by the Secretary within the time period the right of appeal lapses.
29. The letter of appeal and copy of the tribunal decision report will be forwarded to the Appeals Committee to review and decide whether there are sufficient grounds for the appeal to proceed. The Appeals committee may invite any witnesses to the meeting it believes are required to make an informed decision.
30. If the appellant has not shown sufficient grounds for appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified with reasons.
31. If the appeal is accepted an Appeal Committee with a new panel will be convened to rehear the complaint.
32. The Tribunal Procedure will be followed for the appeal.
33. The decision of an Appeal Tribunal will be final.

**PART E: REPORTING DOCUMENTS**

**Attachment E1: CONFIDENTIAL RECORD OF INFORMAL COMPLAINT**

Name of person receiving complaint: .....

Date: ...../...../.....

Complainant's Name: .....

Over 18      Under 18      (circle one)

Role/Status    Administrator (Volunteer)    Parent

Athlete/Player      Spectator

Coach/Assistant Coach      Support Personnel

Employee (paid)      Other

Official: .....

Location/event of alleged issue: .....

Facts as stated by complainant: .....

.....

Nature of complaint (category/basis/grounds)      Can tick more than one

Harassment or Discrimination      Sexual/sexist

Selection dispute      Coaching methods

Sexuality      Personality clash      Verbal abuse

Race      Bullying      Physical abuse

Religion      Disability      Victimisation

Pregnancy      Child abuse      Unfair decision

Other: .....

What they want to happen to fix issue: .....

What information provided: .....

What are they 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 is to be sent to the Administrator, NSW Darts.

**Attachment E2: CONFIDENTIAL RECORD OF FORMAL COMPLAINT**

Complainant's name: .....

Over 18                      Under 18                      (circle one)

Date Formal Complaint received: ...../...../.....

Complainant's contact details: .....

Phone: .....                      Email: .....

Complainant's Role/Status

- Administrator (volunteer)                      Parent
- Athlete/Player                      Spectator
- Coach/Assistant Coach                      Support Personnel
- Employee (paid)                      Other: .....

Official: .....

Name of person complained about (respondent): .....

Over 18                      Under 18                      (circle one)

Respondent's Role/Status

- Administrator (volunteer)                      Parent
- Athlete/Player                      Spectator
- Coach/Assistant Coach                      Support Personnel
- Employee (paid)                      Other: .....

Official: .....

Location/event of alleged issue: .....

Description of alleged issue: .....

Nature of complaint (category/basis/grounds)                      Can tick more than one

Harassment or Discrimination                      Sexual/sexist

Selection dispute                      Coaching methods

Sexuality                      Personality clash                      Verbal abuse

Race                      Bullying                      Physical abuse

Religion                      Disability                      Victimisation

Pregnancy

Child abuse

Unfair decision

Other: .....

Methods (if any) of attempted informal resolution: .....

.....

Formal resolution procedures followed (outline): .....

.....

If investigated: Finding: .....

It went to hearing tribunal: .....

Decision: .....

Action recommended: .....

If mediated: Date of mediation: ...../...../.....

Were both parties present? .....

Terms of Agreement: .....

Any other action taken: .....

If went to appeals tribunal: Decision: .....

Action recommended: .....

Resolution: Less than 3 months to resolve      Between 3-8 months to resolve

More than 8 months to resolve

Completed by Name: .....

Position: .....

Signature: .....

Signed by:

Complainant: .....

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 must be forwarded to the State body and a copy kept at the club/district level (whatever level the complaint was made).

**Attachment E3: CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION**

Before completing, ensure the procedures outlined in attachment D4 have been followed and advice has been sought from the relevant government agency and/or police.

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

Date Formal Complaint received: ...../...../.....

Child's Name: ..... Age: .....

Child's Address: .....

Person's reason for suspecting abuse (e.g. observation, injury, disclosure): .....

Name of person complained about: .....

Role/Status in Sport:

Administrator (volunteer)

Parent

Athlete/Player

Spectator

Coach/Assistant Coach

Support Personnel

Employee (paid)

Other: .....

Official: .....

Witnesses (if more than 3 witnesses, attach details to this form)

Name (1): .....

Contact Details: .....

Name (2): .....

Contact Details: .....

Name (3): .....

Contact Details: .....

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

.....

Police contacted

Who: .....

When: .....

Advice provided: .....

Government agency contacted

Who: .....

When: .....

Advice provided: .....

CEO contacted

Who: .....

When: .....

Police and/or government agency investigation

Finding: .....

Internal investigation (if any)

Finding: .....

Action taken: .....

Completed by Name: .....

Position: .....

Signature: .....

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.

**Attachment E4: RECORD OF MEDIATION**

Present at Mediation: .....

.....

Date of Mediation: ...../...../.....

Venue of Mediation: .....

Mediator: .....

Summary of Mediation (minutes attached): .....

.....

Outcome of Mediation: .....

.....

Follow-up to occur (if required): .....

Completed by: .....

Signature: .....

Signed by:

Complainant (signature): .....

Respondent (signature): .....

This record and any notes will be kept in a confidential place and will only be accessible by the Complaints Officer or the Administrator of NSW Darts.

**Attachment E5: RECORD OF TRIBUNAL DECISION**

Complainant's name: .....

Date Formal Complaint received: ...../...../.....

Complainant's contact details: .....

Phone: ..... Email: .....

Role/Status in NSW Darts

- Administrator (volunteer) Parent
- Athlete/Player Spectator
- Coach/Assistant Coach Support Personnel
- Employee (paid) Other: .....

Official: .....

Name of person complained about: .....

Role/Status in NSW Darts

- Administrator (volunteer) Parent
- Athlete/Player Spectator
- Coach/Assistant Coach Support Personnel
- Employee (paid) Other: .....

Official: .....

Location/event of alleged issue: .....

Description of alleged issue: .....

Nature of complaint (category/basis/grounds) Can tick more than one

- |                              |                   |                   |
|------------------------------|-------------------|-------------------|
| Harassment or Discrimination | Sexual/sexist     | Selection dispute |
| Sexuality                    | Personality clash | Verbal abuse      |
| Race                         | Bullying          | Physical abuse    |
| Religion                     | Disability        | Victimisation     |
| Pregnancy                    | Child abuse       |                   |

Other: .....

Methods (if any) of attempted informal resolution: .....  
.....

Support person (if any): .....

Tribunal Members: .....

Tribunal Hearing Date: ...../...../..... Venue: .....

Tribunal Decision (attach report): .....

Action recommended and any follow up report required: .....  
.....

Decision Appealed: .....

Date of Appeal Lodged: ...../...../..... Hearing Date: ...../...../.....

Appeal Decision (attach report): .....

Action Recommended: .....

Completed by: .....

Position in NSW Darts: .....

Signature: .....

Signed by:

Complainant (signature): .....

Respondent (signature): .....