

MACKAY CRICKET MEMBER PROTECTION POLICY

VERSION 9.2 (Updated 2023)

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1. Introduction

Vision: To Inspire Greatness.

Mackay Cricket Association was formed in 1891. Mackay Cricket Association is the governing body for cricket in the Mackay region from juniors to seniors and ladies.

2. Purpose of Our Policy

The main objective of the Mackay Cricket Association ("our", "us" or "we") Member Protection Policy ("policy") is to maintain responsible behaviour and the making of informed decisions by members and other participants in this club. It outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from discrimination, harassment and abuse. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are expected of them. It also covers the care and protection of children participating in our club's activities.

3. Who Our Policy Applies To

This policy applies to everyone involved in the activities of our club whether they are in a paid or unpaid/voluntary capacity and including:

- club committee members, administrators and other club officials;
- coaches and assistant coaches and other personnel participating in events and activities, including camps and training sessions;
- support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- · referees, umpires and other officials;
- · athletes:
- · members, including any life members; and
- any other person or organisation (for example, a parent/guardian, spectator or sponsor) who or which agrees, in writing or otherwise (whether on a ticket, entry form, venue terms and conditions etc.) to be bound by this Policy or to whom this Policy otherwise applies.

4. Extent of Our Policy

Our policy covers all matters directly and indirectly related to the Mackay Cricket Association and its activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of behaviour and behaviour that occurs at training sessions, in the club rooms, at social events organised or sanctioned by the club (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings our club or sport into disrepute or there is suspicion of harm towards a child or young person.

5. Club Responsibilities

We will:

- adopt, implement and comply with this policy;
- ensure that this policy is enforceable;
- publish, distribute and promote this policy and the consequences of any breaches of this policy;;
- promote and model appropriate standards of behaviour at all times;
- deal with any complaints made under this policy in an appropriate manner;
- deal with any breaches of this policy in an appropriate manner;
- recognise and enforce any penalty imposed under this policy;
- ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- review this policy every 12-18 months; and
- seek advice from and refer serious issues to Queensland Cricket.

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse) and any other issues that our state or national bodies request to be referred to them.

6. Individual Responsibilities

Everyone associated with our club must:

- make themselves aware of the contents of this policy;
- comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy:
- consent to the screening requirements set out in this policy, and any state or territory Working
 with Children checks if the person holds or applies for a role that involves regular
 unsupervised contact with a child or young person under the age of 18, or where otherwise
 required by law;
- treat other people with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour; and
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment, bullying or other inappropriate behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this policy.

7. Protection of Children

7.1 Child Protection

The Mackay Cricket Association is committed to the safety and wellbeing of children and young people who participate in our club's activities or use our services. We support the rights of the child and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

Mackay Cricket Association acknowledges the valuable contribution made by our staff, members and volunteers and we encourage their active participating in providing a safe, fair and inclusive environment for all participants.

7.1.1: Identifying and Analysing Risks of Harm

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

7.1.2: Developing Codes of Conduct for Adults and Children

We will develop and promote a code of conduct that specifies standards of conduct and care we expect of adults when the deal and interact with children, particularly those in our care. We will also implement a code of conduct to promote appropriate behaviour between children.

The codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour. (See Attachment 2)

7.1.3: Choosing Suitable Employees and Volunteers

The Mackay Cricket Association will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

The Mackay Cricket Association will ensure that Working with Children Checks and criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law. If a criminal history report is obtained as part of the

screening process, the Mackay Cricket Association will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements. (See Attachment 1.3)

7.1.4: Support, Train, Supervise and Enhance Performance

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

7.1.5: Empower and Promote the Participation of Children In Decision-Making And Service Development

The Mackay Cricket Association will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our club.

7.1.6: Report and Respond Appropriately to Suspected Abuse and Neglect

The Mackay Cricket Association will ensure that employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable ground that a child has be, or is being, abused or neglected (See Attachment 4).

In addition to any legal obligations, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child or is in breach of this policy, they may make an internal complaint.

Please refer to our complaints procedure in section 10 of this policy.

Any person who believes a child is in immediate danger or in a life-threatening situation, should contact the police immediately.

7.2 Supervision

Children under the age of [18] must be supervised at all times by a responsible adult. We endeavour to provide an appropriate level of supervision at all times. If a member finds a child under the age of [18] is unsupervised, they should assume responsibility for the child's safety until the child's parent/guardian or supervisor is located.

For reasons of courtesy and safety, parents must collect their children on time. If it appears a member will be left alone with just one child at the end of any club activity, they will ask another member to stay until the child is collected.]

7.3 Transportation

Parents and or guardians are responsible for organising the transportation of their children to and from club activities (e.g. training and games). Where we make arrangements for the transportation of children (e.g. for away matches or overnight trips), we will conduct a risk assessment that includes ensuring vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and the appropriate safety measures are in place (e.g. fitted working seatbelts)].

7.4 Taking Images of Children

Images of children can be used inappropriately or illegally. We require that members, wherever possible, obtain permission from a child's parent or guardian before taking an image of a child that is not their own. We will also make sure that the parent or guardian understands how the image will be used.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are used in connection with our club.

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

We will only use images of children that are relevant to our club's activities and we will ensure that they are suitably clothed in a manner that promotes our club. We will seek permission from a child's parent or guardian before using their images.

8. Discrimination, Harassment and Bullying

Our club is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination, harassment and bullying.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against, harassed or bullied.

8.1 Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination laws.

Discrimination includes both direct and indirect discrimination:

- **Direct discrimination** occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **Indirect discrimination** occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purpose of determining discrimination, the offender's awareness and motive are irrelevant.

8.2 Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment involves unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of all the personal characteristics that apply throughout Australia:

- · gender;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- national extraction or social origin;
- marital status, relationship status, identity of spouse or domestic partner;
- pregnancy, potential pregnancy, breastfeeding;
- family or carer responsibilities, status as a parent or carer:
- age;
- · religion, religious beliefs or activities;
- political beliefs or activities;
- lawful sexual activity;

- sexual orientation and gender identity;
- profession, trade, occupation or calling;
- irrelevant criminal record, spent convictions;
- irrelevant medical record:
- member of association or organisation of employees or employers, industrial activity, trade union activity;
- physical features;
- disability, mental or physical impairment;
- · defence service; and
- personal association with someone who has, or is assumed to have, any of these personal characteristics.

Legislation also prohibits:

- racial, religious, homosexual, transgender and HIV/AIDS vilification; and
- · victimisation resulting from a complaint.

8.3 Bullying

The Mackay Cricket Association is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable at our club.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or group.

Whilst generally characterised by repeated behaviours, one off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;
- · spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bulling which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied though unwanted and inappropriate comments. We will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. (Refer to Item 10 of this policy.)

9. Inclusive practices

Our club welcomes everyone and we will seek to include members from all areas of our community.

The following are examples of some of our inclusive practices.

9.1 People with a disability

The Mackay Cricket Association will not discriminate against any person because they have a disability. Where it is necessary, we will make reasonable adjustments (e.g. modifications to equipment and rules) to enable participation.

9. 2 People from diverse cultures

We will support, respect and encourage people from diverse cultures and religions to participate in our club and where possible we will accommodate requests for flexibility (e.g. modifications to uniforms).

9.3 Sexual & Gender Identity

All people, regardless of their sexuality or gender identity, are welcome at our club. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.

9.4 Pregnancy

Mackay Cricket Association is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our club's activities. We will not tolerate any discrimination or harassment against pregnant women.

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

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

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person bound by this policy, she may make a complaint (see section 10).

9.5 Girls playing in boys teams

If there is not a separate sex competition the Mackay Cricket Association will support girls playing in boys teams up until the age of 12 years.

We note that Federal anti-discrimination laws provide that it is not unlawful to discriminate on grounds of sex by excluding persons from participation in any competitive sporting activity in which the strength, stamina or physique of competitors is relevant.

If a child is over the age of 12 years our club will consider each request on an individual basis by considering the nature of our sport and other available opportunities to compete.

10. Responding to Complaints

10.1 Complaints

Our club takes all complaints about on and off-field behaviour seriously. Our club will handle complaints based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously;
- the person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and
- any penalties imposed will be reasonable.

More serious complaints may be escalated to Queensland Cricket.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our club may need to report the behaviour to the police and/or relevant government authority.

10.2 Complaint Handling Process

When a complaint is received by our club, the person receiving the complaint (e.g. President, Member Protection Information Officer) will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- ask what the complainant how they would like their concern to be resolved and if they need any support;
- explain the different options available to help resolve the complainant's concern;
- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the club will assist, where appropriate and necessary, with the resolution process. This may involve:

- supporting the person complaining to talk to the person being complained about;
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gathering more information (e.g. from other people that may have seen the behaviour);
- seeking advice from our district, regional, state and/or national body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);
- referring the complaint to Queensland Cricket; and/or
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to Queensland Cricket and an investigation is conducted, the club will:

- co-operate fully with the investigation;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on Queensland Cricket's recommendations.

At any stage of the process, a person can seek advice from an anti-discrimination commission or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the anti-discrimination commission or other external agency.

10.3 Disciplinary Sanctions

Our club may take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our 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 by our constituent documents, by Laws and the rules of the game.

Possible sanctions that may be taken include:

- a direction that the individual make verbal and/or written apology;
- counselling of the individual to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club;
- suspension or termination of membership, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently;
- a fine: or
- any other form of discipline that our club considers reasonable and appropriate.

10.4 Appeals

The complainant or respondent may be entitled to lodge an appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by our club) to Queensland Cricket. Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.

Attachment 1.1: MEMBER PROTECTION DECLARATION

The Mackay Cricket Association has a duty of care to all those associated with our club and to the individuals and organisations to whom this policy applies. As a requirement of our Member Protection Policy, we 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
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.
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.

4. To my knowledge there is no other matter that the club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.

5.	I will notify the President of the club in	mmediately upon	becoming aware	that any of the	matters set
	out in clauses 1 to 4 above has change	jed.			

Declared in the State/Territory of	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 1.2: WORKING WITH CHILDREN CHECK REQUIREMENTS

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- criminal history checks;
- signed declarations;
- · referee checks; and
- other relevant background checks to assess a person's suitability to work with children and young people.

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

Australian Capital Territory

Contact the Office of Regulatory Services Website: www.myaccount.act.gov.au

Phone: 02 6207 5111

New South Wales

Contact the Office of the Children's Guardian

Website: www.ocg.nsw.gov.au

Phone: 02 8219 3777

Northern Territory

Contact the Northern Territory Screening Authority

Website: www.forms.pfes.nt.gov.au Phone: 1800 SAFENT (1800 723 368)

Queensland

Contact the Queensland Government Blue Card Services

Website: www.bluecard.qld.gov.au

Phone: 1800 113 611

South Australia

Contact the Department for Education and Child Development

Website: www.sa.gov.au Phone: 1300 321 592

Tasmania

Contact the Consumer, Building and Occupational Services

Website: www.justice.tas.gov.au

Phone: 1300 654 499

Victoria

Contact the Department of Justice and Community Safety

Website: www.workingwithchildren.vic.gov.au

Phone: 1300 652 879

Western Australia

Contact the Department of Communities Website: www.checkwwc.wa.gov.au

Phone: 1800 883 979

Travelling to other states or territories

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

In certain jurisdictions, temporary, time limited exemptions from working with children checks may be available for interstate visitors with a Working with Children Check in their home state.

The laws providing interstate exemptions are not consistent across Australia.

If an employee or volunteer for your club is travelling interstate to do work that would normally require a working for children check, you will need to check the relevant requirements of that state or territory.

Attachment 2: CODES OF BEHAVIOUR

Traditionally, Cricket has been the one sport to maintain and promote the highest levels of conduct and sportsmanship. While always a competitive sport, its continued strength and its image relies on the acceptance of the umpire's decision and a preparedness to play within the "spirit of the game".

ALL PLAYERS AND OFFICIALS SHOULD BE WELL AWARE OF THE STANDARDS EXPECTED AND CONSEQUENTLY ANY PLAYER OR OFFICIAL WHO BREACHES THIS CODE CAN EXPECT LITTLE SYMPATHY IF FOUND GUILTY.

It is the responsibility of everyone associated with Queensland Cricket - Club Officials, Team Captains and especially the Players - to ensure the level of conduct and sportsmanship traditionally inherent in the Game is observed.

CODE OF BEHAVIOUR

Notes:

This policy applies to all competitions.

This Code applies to any player or official representing Queensland Cricket, including participating in any competition, tour or training camp, from the time of departure from the player's or official's usual private residence prior to the tour or camp until return to that residence after the tour or camp.

"Official" means the manager or a member of the coaching, medical or fitness staff of a team; the selectors of a team; any other person acting in an official capacity for Queensland Cricket or a Premier Cricket Club in relation to a team; or an umpire of a match.

1. CODE OF BEHAVIOUR

- [a] The captains are responsible at all times for ensuring that play is conducted within the spirit of the game as well as within the Laws.
- [b] This Code applies to all registered players and officials. Sections 1[b][v], 1[b][vii], 1[b][viii] of this Code apply at any time. Sections 1[b][i], 1[b][ii], 1[b][iii], 1[b][iv], 1[b][vi] apply whether participating or spectating at any match or event under the auspices of Cricket Australia or Queensland Cricket, including matches sanctioned by Queensland Cricket Affiliates. This Code applies in addition to and not in substitution for the ICC Code of Conduct and the Cricket Australia Code of Behaviour, Racial and Religious Vilification Code and the Anti-Harassment Policy, [the Codes]. Specifically:
 - [i] Players and officials must not abuse cricket equipment or clothing, ground equipment or fixtures and fittings.
 - [ii] Players and officials must not assault or attempt to assault an umpire, a player, an official or spectator.
 - [iii] Players and officials must not react with dissension, either towards an umpire, his decision, or generally, following an umpiring decision.
 - [iv] Players and officials must not use crude or abusive language, or otherwise engage in conduct detrimental to the spirit of the game. An umpire would be expected to caution the player and advise the captain of his concern before reporting any player for this type of behaviour.
 - [v] Players and officials must not indulge in conduct detrimental to the game.
 - [vi] Players and officials must in no way use crude or abusive hand signals.

- [vii] Players and officials must not engage in any form of racial or religious abuse or harassment as defined in the Queensland Cricket Racial and Religious Vilification Code, the Cricket Australia Racial and Religious Vilification Code or Anti-Harassment Policy.
- [viii] Without limiting any other rule, players and officials must not make public or media comment which is detrimental to the interests of the game.

Note: Public comment includes comment on Club websites and other electronic media.

2. CONDUCTS COMMISSIONERS

- [a] The Queensland Cricket Board of Directors will appoint at least four persons to the position of Queensland Cricket Conducts Commissioner who will be responsible for receiving, investigating and dealing with any alleged breach of the Code of Behaviour.
- [b] Any alleged breach of the Code of Behavior will in the first instance be heard and determined by a Queensland Cricket Conducts Commissioner unless the Commissioner decides to refer the matter to a Conducts Committee hearing;
- [c] The Commissioner will conduct a hearing, when possible to be held on a Tuesday evening:
 - [i] in private unless all parties to the report and the Commissioner agree otherwise; and
 - [ii] in other respects as the Commissioner determines;
 - [iii] with as little formality and technicality as reasonable; and
 - [iv] as quickly, as proper consideration of the report or complaint permits.
- [d] The Commissioner:
 - [i] may conduct the hearing by telephone or other conference facility;
 - [ii] may themselves and may permit the person alleged to have breached the Code and the person who lodged the report to examine and cross-examine witnesses;
 - [iii] may appoint another person to assist with the hearing; and
 - [iv] may allow the person alleged to have breached the Code to be assisted by another person [such as a Club representative].
- [e] All people attending a hearing before the Commissioner must:
 - [i] dress in a manner acceptable to the Commissioner;
 - [ii] behave with due decorum;
 - [iii] comply with the directions of the Commissioner as to the manner in which the hearing will be conducted; and
 - [iv] any person who fails to comply may be ejected from the hearing room and sanctioned under this Code
 - [f] The Commissioner may impose any penalty thought fit in accordance with this Code or may refer the matter to a Conducts Committee hearing. Where a player or official rejects a penalty offered by a Commissioner the matter shall be referred to a Conducts Committee.
 - [g] In the event that a hearing cannot be completed before the start of a relevant match the Commissioner may make such interim ruling as deemed appropriate including the interim suspension of a Player pending completion of the hearing.
 - [h] The Commissioner shall ensure that a completed Findings Sheet is lodged with Queensland Cricket.
 - [i] Any person aggrieved by a finding of the Commissioner or as to the penalty imposed may appeal to the Conducts Committee by giving notice to the Chief Executive Officer within 24 hours of the decision by the Commissioner

3. CONDUCTS COMMITTEE

- [a] The Queensland Cricket Board of Directors will appoint a Panel of suitable persons, including Conducts Commissioners who may be called to sit on a Conducts Committee.
- [b] Each Conducts Committee will consist of three persons selected from this Panel, one of whom must be a Conducts Commissioner, which will hear matters brought before them by Queensland Cricket's Conducts Commissioners.

- [c] The Conducts Committee shall hear appeals from a decision of a Commissioner. Such appeal may be by way of rehearing, but the onus shall be on the appellant to show error in the decision, the subject of the appeal.
- [d] The Commissioner who made the original decision may appear to assist at the hearing of the appeal.
- [e] Members of the Conducts Committee shall not be representative of the Club or Clubs involved in the Hearing.
- [f] The Conducts Committee may conduct a hearing or may make a decision based on written submissions, including the Findings Sheet and summary of outcomes from the original decision.
- [g] The Conducts Committee will conduct hearings, when possible to be held on a Thursday evening:
 - [i] in private unless all parties to the report and the Commissioner agree otherwise;
 - [ii] in other respects as the Conducts Committee Chairman determines;
 - [iii] with as little formality and technicality as reasonable; and
 - [iv] as quickly, as proper consideration of the report or complaint permits.
- [h] The Conducts Committee:
 - [i] may conduct the hearing by telephone or other conference facility;
 - [ii] may itself and may permit the person alleged to have breached the Code and the person who lodged the report to examine and cross-examine witnesses through the Chairman:
 - [iii] may appoint another person to assist it; and
 - [iv] may allow the person alleged to have breached the Code to be assisted by another person [such as a Club representative].
- [i] All people attending a hearing before the Conducts Committee must:
 - [i] dress in a manner acceptable to the Conducts Committee;
 - [ii] behave with due decorum;
 - [iii] comply with the directions of the Conducts Committee Chairman as to the manner in which the hearing will be conducted;
 - [iv] any person who fails to comply may be ejected from the hearing room and sanctioned under this Code:
- [j] All parties except the Conducts Committee must leave the room when the Conducts Committee is deliberating on its decision;
- [k] The Conducts Committee may impose any penalty it thinks fit in accordance with this Code.
- [I] In the event that a Conducts Committee hearing cannot be completed before the start of a relevant match the Conducts Committee may make such interim ruling as it deems appropriate including the interim suspension of a player pending completion of the hearing.
- [m] The Conducts Committee Chairman shall ensure that a completed Findings Sheet is lodged with the Chief Executive Officer of Queensland Cricket. The Chief Executive will distribute copies of the Findings Sheet to the accused player/official, the Clubs involved, the Umpires Association and the Conducts Commissioner or any other relevant party.
- [n] Any player or official who was a party to a hearing before the Conducts Committee has a right of appeal against the decision of the Conducts Committee to the Queensland Cricket Appeals Tribunal.

4. METHOD OF HANDLING BREACHES OF THE CODE OF BEHAVIOUR

- [a] An alleged breach of the Code of Behaviour may be reported by:
 - [i] Either or both umpires;
 - [ii] The Secretaries of the Clubs participating in the match in which the alleged breach occurred:
 - [iii] A player participating in the particular match in which an alleged breach occurs;
 - [iv] A Queensland Cricket Conducts Commissioner;
 - [v] Any member of the Premier Cricket Committee; or

- [vi] The Chief Executive Officer of Queensland Cricket.
- [b] For umpires there are two processes for reporting an alleged breach of the Code of Behaviour:
- [i] Level 1 Offences: Where the umpires doesn't consider that the alleged breach exceeds Level 1, they will speak to the player regarding his/her behaviour, the incident will be noted on the umpire's Report Form and the player will receive a caution. The umpire[s] must also inform captains of the caution of his/her player as soon as practical, either on the field or at the close of a day's play. The umpire[s] must complete the prescribed umpire's Report Form and forward a copy of the Report, together with any further written submission to the Premier Cricket Officer of Queensland Cricket by 4.30 pm Monday after the completion of the match.

NOTE: If a player receives two such cautions in a season, they will be reported by the Premier Cricket Officer and have the matter heard by a Conducts Commissioner. All Level 1 cautions will also be subject to Clause [h] below.

[ii] Serious Breaches (Levels 2 & 3 Offences): Where an umpire is considering or wishes to report an alleged breach of the Code of Behaviour (Level 2 or 3), the umpire[s] must inform captains of the lodgement or pending lodgement of a report of his/her player as soon as practical, either on the field or at the close of the day's play. The umpire[s] must complete the prescribed umpire's Report Form and forward a copy of the Report, together with any further written submission to the Premier Cricket Officer of Queensland Cricket by 4.30 pm Monday after the completion of the match.

NOTE: Umpire[s] must nominate the grade of offence on the report.

- [c] The Chief Executive Officer of Queensland Cricket may lodge a report or instigate an investigation within 48 hours of becoming aware of any facts, which are capable of substantiating a breach under this Code.
- [d] Where a player or official as outlined above wishes to report an alleged breach of the Code of Behaviour, he shall forward a written submission to the Chief Executive Officer of Queensland Cricket by 4.30 pm Monday after the completion of the match. The Chief Executive Officer shall refer the matter to a Queensland Cricket Conducts Commissioner[s] for further investigation and determination.
- [e] The Queensland Cricket Conducts Commissioner may refer any matter to the Queensland Cricket Conducts Committee for determination.
- [f] There are three [3] levels of Grading of Offences to apply:

Level 1: The Commissioner may invoke any of the following options:

- [i] official reprimand
- [ii] a suspended sentence
- [iii] a one [1] match suspension [iv] offer a penalty to a player or official that pleads guilty or,
- [v] refer the report to the Conducts Committee who may impose any penalty as it sees fit.

Level 2: The Commissioner may invoke any of the following options:

- [i] official reprimand
- [ii] a suspended sentence
- [iii] a two [2] match suspension
- [iv] offer a penalty to a player or official that pleads guilty or,
- [v] refer the report to the Conducts Committee who may impose any penalty as it sees fit.

Level 3: The Commissioner may offer a penalty to a player or official that pleads guilty or refer the matter to a Conducts Committee who may impose any penalty as it sees fit.

- [g] If found guilty of a second Level 1 offence/caution, a player would ordinarily expect to receive a minimum one[1] multi-day match suspension [or equivalent]. If found guilty of a Level 2 offence, a player would ordinarily expect to receive a minimum two [2] multi-day match suspension [or equivalent].
- [h] The Conducts Commissioner may vary the level of offence [higher or lower].
- [i] A breach of the Code of Behaviour will be graded and the penalty determined within the three [3] levels as outlined.
- [j] For level 2 or level 3 offences, the Commissioner or Conducts Committee has discretion to determine whether a suspension applies for representative matches.
- [k] The findings of the Conducts Commissioner or Conducts Committee should clearly define the suspension, be it for one day match[es], two day match[es] or a time frame.
- [I] Each of the rules for behaviour has a guideline. The guidelines are intended as an illustrative guide only and in the case of any doubt as to the interpretation of the Rule, the provisions of the Rule itself shall take precedence over the provisions of the guidelines. The guidelines should not be read as an exhaustive list of offences or prohibited conduct.
- [m] In considering a penalty to be imposed in each case, the Conducts Commissioner or the Conducts Committee must first consider whether the player or official has previously been found guilty of any offences under the Code of Behaviour (or any predecessor regulations that may have applied) within a period of eighteen months prior to the date on which the proven offence took place.

GUIDELINE OFFENCES

1. Level 1 Offences

The Offences set out at 1.1 to 1.7 below are Level 1 Offences. Players and, where applicable, officials must not:

- **1.1** Abuse cricket equipment or clothing, ground equipment or fixtures and fittings Includes actions outside the course of normal cricket actions such as hitting or kicking the wickets and actions which intentionally or negligently result in damage to the advertising boards, boundary fences, dressing room doors, mirrors, windows and other fixtures and fittings.
- **1.2** Show dissent at an umpire's decision by action or verbal abuse Includes excessive, obvious disappointment with an umpire's decision or with an umpire making the decision and obvious delay in resuming play or leaving the wicket. This Rule does not prohibit the bowler involved in the decision or a team captain from asking an umpire to provide an explanation for a decision or a Team official from making a formal complaint.
- **1.3** Use language that is obscene, offensive or insulting and/or the making of an obscene gesture This includes swearing and offensive gestures which are not directed at another person such as swearing in frustration at one's own poor play or fortune. This offence is not intended to penalise trivial behaviour. The extent to which such behaviour is likely to give offence shall be taken into account when assessing the seriousness of the breach.
- **1.4** Engage in excessive appealing Excessive shall mean repeated appealing when the bowler/fielder knows the batsman is not out with the intention of placing the umpire under pressure. It is not intended to prevent loud or enthusiastic appealing. However, the practice of celebrating or assuming a dismissal before the decision has been given may also come within this Rule.

- **1.5** Point or gesture towards the pavilion in an aggressive manner upon the dismissal of a batsman Self-explanatory.
- **1.6** Breach any regulation regarding approved clothing or equipment This includes regulations regarding bat logos and regulations regarding other logos or advertising which may be worn or displayed.
- **1.7** Disobey an umpire's instruction during a match. Includes any repeated failure to comply with the instruction or directive of an umpire during a match.

2. Level 2 Offences

The Offences set out at 2.1 to 2.8 below are Level 2 Offences. Players and, where applicable, officials must not:

- **2.1** Show serious dissent at an umpire's decision by action or verbal abuse Dissent should be classified as serious where the dissent is expressed by a specific action such as the shaking of the head, snatching cap from umpire, pointing at pad or inside edge, other displays of anger or abusive language directed at the umpire or excessive delay in resuming play or leaving the wicket. This Rule does not prohibit the bowler involved in the decision or a team captain from asking an umpire to provide an explanation for a decision or a Team official from making a formal complaint.
- **2.2** Engage in inappropriate and deliberate physical contact with other players or officials in the course of play Without limitation, players will breach this regulation if they deliberately walk or run into or shoulder another player, official or match official.
- **2.3** Charge or advance towards the umpire in an aggressive manner when appealing. Self-explanatory.
- **2.4** Deliberately and maliciously distract or obstruct another player or official on the field of play Without limitation, players will breach this rule if they deliberately attempt to distract a striker by words or gestures or deliberately shepherd a batsman while running or attempting to run between wickets.
- **2.5** Throw the ball at or near a player or official in an inappropriate and/or dangerous manner This Rule will not prohibit a fielder or bowler from returning the ball to the stumps in the normal fashion.
- **2.6** Use language that is obscene, offensive or of a seriously insulting nature to another player, official or spectator. This refers to language or gestures which are directed at another person. See comments under Rule 1.3 above in relation to the seriousness of the breach.
- **2.7** Attempt to manipulate a Match in regard to the result, net run rate, bonus points or otherwise. The captain of any team guilty of such conduct shall be held responsible. Prohibited conduct under this rule will include incidents where a team bats in such a way as to either adversely affect its own, or improve its opponent's, bonus points, net run rate or quotient.
- **2.8** Seriously breach any regulation regarding approved clothing or equipment. See guideline for Rule 1.6 above. Without limitation, a breach will be considered serious if it is done in bad faith or where it has serious commercial consequences (e.g. display of logo of competing CA or State sponsor)

3. Level 3 Offences

The Offences set out at 3.1 to 3.7 below are Level 3 Offences. Players and, where applicable, officials must not:

- **3.1** Intimidate an umpire or referee whether by language or conduct. Includes appealing in an aggressive or threatening manner.
- **3.2** Threaten to assault another player, Team official or spectator Self-explanatory.
- **3.3** Use language or gestures that offend, insult, humiliate, intimidate, threaten, disparage or vilify another person on the basis of that person's race, religion, colour, descent or national or ethnic origin Self-explanatory.
- **3.4** Physically assault another player, umpire, referee, official or spectator Self-explanatory
- 3.5 Engage in any act of violence on the field of play Self-explanatory
- **3.6** Change the condition of the ball in breach of Law 41.3 Prohibited behaviour includes picking the seam or deliberately throwing the ball into ground for the purpose of roughening it up and the application of moisture to the ball, save for perspiration and saliva.
- **3.7** Make public or media comment detrimental to the interests of the game Prohibited conduct under this rule includes:

Denigrating or criticising any player, official, team, Cricket Australia, Queensland Cricket or any Commercial Partner of Cricket Australia, Queensland Cricket or the respective Premier Cricket Clubs:

Denigrating or criticising any player, umpire or official by inappropriately commenting on any aspect of his or her performance, abilities or characteristics;

Commenting on the likely outcome of or criticising the outcome of a hearing, report or any appeal; or

Criticising any evidence, submission, or comment made by any person at the hearing of a report or any appeal.

Note: 3.7 includes comment on Club websites and other electronic media. Each Club shall be responsible for advising Queensland Cricket of the Club Official that is responsible for monitoring their website.

QUEENSLAND CRICKET APPEALS TRIBUNAL

There shall be an Appeals Tribunal appointed by the Queensland Cricket Board of Directors (Board).

- [a] The membership of the Appeals Tribunal shall be determined by the Queensland Cricket Board of Directors at its first meeting following the Annual General Meeting.
- [b] Members of the Tribunal must be fit and proper persons as determined by the Board but must not be current members of the Board.
- [c] A member of the Tribunal need not be a member of Queensland Cricket, its affiliates or associated clubs.
- [d] The Tribunal shall consist of five members. Three members will sit on each hearing of the Tribunal, one of whom shall Chair the Tribunal.
- [e] The chairperson for each hearing shall be appointed from their number by the members of the Tribunal or if they cannot agree, shall be appointed by the Board.
- [f] A member of the Tribunal must not sit on a hearing/determination involving a player from the same club or affiliate as the Tribunal member.
- [g] Subject to (I), the Appeals Tribunal shall be responsible for receiving all appeals from decisions of the Conducts Committee, Premier Cricket Committee and from Affiliates Codes of Conducts.
- [h] Any appeal against the decision of the Conducts Committee must be lodged within 7 Days of the Hearing with the Chief Executive Officer, Queensland Cricket. The suspended player or players shall not be permitted to participate in the Grade or other Competitions until the penalty has been met or an appeal against such finding and/or severity of the sentence has been adjudged by the Appeals Tribunal.
- [i] The Appeals Tribunal shall hear and determine each appeal by reference only to all documentary and written evidence presented to the hearing before the Conducts Committee together with the Findings Sheet and summary of outcomes from that hearing and shall receive from all interested parties written submissions only with respect to the evidence and submissions presented before that initial hearing.
- [j] Subject to [l] the appeal shall not constitute a re-hearing.
- [k] Subject to [m], there shall be no right of appearance before the Appeals Tribunal by any of the parties or their representatives who appeared before the initial hearing of the Conducts Committee or Premier Cricket Committee.
- [I] Any new or additional evidence shall be received by the Appeals Tribunal only at the discretion of the Appeals Tribunal.
- [m] Where the matter under appeal is regarded by a majority of the Appeals Tribunal as sufficiently serious, leave may be given by the Chairman of the Appeals Tribunal to permit appearance by any or all of the interested parties and/or their representatives.
- [n] The Appeals Tribunal shall be furnished with all information and documentation relevant to the hearing of the Appeal including information on prior offences, the Register of Penalties and Findings Sheet/s. The Secretary of the Conducts Committee from which the appeal originates should furnish this information to Queensland Cricket. The papers should be bound in chronological order with a List of Contents appended.
- [o] Unless special circumstances are demonstrated, the appellant's Affiliate body and/or Club should present any appeal made to the Appeals Tribunal.
- [p] The Appeals Tribunal may order a re-hearing if, in their opinion, sufficient anomalies exist in the process followed by a Conducts Committee. At its discretion, the Appeals Tribunal may designate the membership of the Conducts Committee to re-hear the case.
- [q] The Appeals Tribunal shall, in each case, be the final arbiter and its decision absolutely final.
- [r] Should an appeal subsequently be upheld any suspension or penalty previously served shall nevertheless be deemed to be valid.
- [s] An appeal may be withdrawn at any time, except that once the hearing of the appeal has commenced the appeal may be withdrawn only with the Appeals Tribunal's approval.
- [t] As a matter of procedure only, a report of each determination of the Appeals Tribunal shall be provided to the Board for its noting but the failure to provide such a report shall not affect the final and binding nature of each decision of the Tribunal.

Attachment 3: REPORTING REQUIREMENTS AND DOCUMENTS

RECORD OF COMPLAINT

Name of person receiving complaint			Date: / /
Complainant's Name		l	
	□ Over 18	□ Und	der 18
Complainant's contact	Phone:		
details	Email:		
Complainant's role/status in Club	☐ Administrator (volunteer)	☐ Pa	rent
Tolo/statas III Olab	☐ Athlete/player	☐ Sp	ectator
	☐ Coach/Assistant Coach	☐ Sup	pport Personnel
	☐ Employee (paid)	☐ Ot	her
	☐ Official		
Name of person			
complained about	□ Over 18	□ Unc	ler 18
Person complained	☐ Administrator (volunteer)	☐ Pa	rent
about role/status in Club	☐ Athlete/player	☐ Sp	ectator
	☐ Coach/Assistant Coach	☐ Sup	oport Personnel
	☐ Employee (paid)	☐ Ot	her
	☐ Official		
Location/event of alleged issue			
Description of alleged issue			
issue			

Nature of complaint (category/basis/grounds)	☐ Harassment or ☐ Discrimination				
(category/basis/grounds)	☐ Sexual/sexist	☐ Selection dispute	☐ Coaching methods		
Can tick more than one	☐ Sexuality	☐ Personality clash	☐ Verbal abuse		
box	Race	Bullying	☐ Physical abuse		
	Religion	☐ Disability	☐ Victimisation		
	☐ Pregnancy	☐ Child Abuse	☐ Unfair decision		
	Other				
What they want to happen to fix issue					
Information provided to them					
Resolution and/or action					
taken					
- u					
Follow-up action					

PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

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

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au

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

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

Step 1: Receive the allegation

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

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

Step 2: Report the allegation

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

Step 3: Protect the child and manage the situation

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

Step 4: Take internal action

- At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)
 - a child protection investigation (conducted by the relevant child protection agency)
 - a disciplinary or misconduct inquiry/investigation (conducted the Mackay Cricket Association).
- the Mackay Cricket Association will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in **Clause 10** of our Member Protection Policy.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take.

Contact details for advice or to report an allegation of child abuse

Australian Capital Territory	
ACT Police	Child and Youth Protection Services
Non-urgent police assistance	www.forms.act.gov.au
Ph: 131 444	Ph: 1300 556 729
www.afp.gov.au	111. 1000 000 120
www.aip.gov.au	
New South Wales	
New South Wales Police	Department of Community and Justice
Non-urgent police assistance	www.community.nsw.gov.au
Ph: 131 444	Ph: 13 2111
www.police.nsw.gov.au	
Northern Territory	
Northern Territory Police	Department of Territory Families, Housing and
Non-urgent police assistance	Communities
Ph: 131 444	www.tfhc.nt.gov.au
www.pfes.nt.gov.au	Ph: 1800 700 250
Queensland	
Queensland Police	Department of Children, Youth Justice and Multicultural
Non-urgent police assistance	Affairs
Ph: 131 444	www.cyjma.qld.gov.au
www.police.qld.gov.au	Ph: 1800 177 135
South Australia	
South Australia Police	Department for Child Protection
Non-urgent police assistance	www.childprotection.sa.gov.au
Ph: 131 444	Ph: 13 14 78
www.police.sa.gov.au	
Tasmania Tasmania Balina	Department of Health and House Operiors
Tasmania Police	Department of Health and Human Services
Non-urgent police assistance	www.decyp.tas.gov.au
Ph: 131 444	Ph: 1800 000 123
www.police.tas.gov.au	
Victoria	
Victoria Police	Department of Families, Fairness and Housing
Non-urgent police assistance	www.services.dffh.vic.gov.au
Ph: (03) 9247 6666	Ph: 13 12 78
www.police.vic.gov.au	1 11. 13 12 10
www.police.vic.gov.au	
Western Australia	
Western Australia Police	Department for Child Protection and Family Support
Non-urgent police assistance	www.wa.gov.au
Ph: 131 444	Ph: 1800 273 889
www.police.wa.gov.au	1 1553 2. 5 555
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CONFIDENTIAL RECORD OF CHILD ABUSE ALLEGATION

Before completing, ensure the procedures outlined in *Procedure for Handling Allegations of Child Abuse* 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: / /
Role/status in sport			
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)	☐ Pa	arent
	☐ Athlete/player	☐ Sp	ectator
	☐ Coach/Assistant Coach	☐ Su	pport Personnel
	☐ Employee (paid)	□ o	ther
	☐ Official		
Witnesses	Name (1):		
(if more than 3 witnesses, attach details	Contact details:		
to this form)	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:
President and/or MPIO	Who:
contacted	When:
Police and/or	Finding:
government agency	
investigation	
Internal investigation (if	Finding:
any)	
Action taken	
Completed by	Name:
	Position:
	Signature:
	Date: / /
Signed by	
Complainant (if not a child)	

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