



**QUEENSLAND SPORTING CLAYS ASSOCIATION Inc.**

**MEMBER PROTECTION POLICY**

**VERSION: 1.0**

***21<sup>st</sup> November 2015***

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## MEMBER PROTECTION POLICY

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### 1. Introduction

The central goal of QUEENSLAND SPORTING CLAYS ASSOCIATION INC. (QSCA) is to develop the sport of sporting clays throughout Queensland for the safety and enjoyment of its participating members.

QSCA is committed to providing a sport and work environment free of harassment and discrimination. QSCA aims to ensure the core values, good reputation and positive behaviours and attitudes of QSCA are maintained. QSCA believes that anyone who works for it, and everyone with whom it deals, has the right to be treated with respect and dignity. QSCA will not tolerate any type of behaviour, which will bring the sport of shooting into disrepute, and this policy is an essential part of QSCA's proactive and preventative approach to tackling inappropriate behaviour. QSCA will therefore take all complaints seriously, and will ensure they are dealt with promptly, sensitively and with confidentiality.

QSCA is committed to ensure that everyone associated with the organisation complies with this policy.

### 2. Purpose of Our Policy

The main objective of our Member Protection Policy (policy) is to maintain responsible behaviour and the making of informed decisions by 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 abuse. Our policy informs everyone involved in our association of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in our club's activities.

### 3. Who Our Policy Applies To

Our policy applies to everyone involved in the association including committee members, administrators, coaches, officials, shooters, parents and spectators.

### 4. Extent of Our Policy

Our policy covers unfair decisions (e.g. team selection) and actions, breaches of our code of conduct and conduct that occurs at practice, in the club rooms, at social events organised or sanctioned by the association (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings our association or sport into disrepute or there is suspicion of harm towards a child or young person.

### 5. Association Responsibilities

We will:

- implement and comply with our policy;
- promote our policy to everyone involved in our club;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy when required; and
- seek advice from and refer serious issues to our Sporting Clays Australia.

Serious issues includes 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 body request to be referred to them.

## **6. Individual Responsibilities**

Everyone associated with our association must:

- comply with the standards of behaviour outlined in our policy;
- treat others with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour;
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour.

## **7. Protection of Children**

### **7.1 Child Protection**

The Queensland Sporting Clays Assoc. Inc. is committed to the safety and wellbeing of all children and young people accessing our service. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

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

#### **7.1.1: Identify and Analyse Risk of Harm**

The Queensland Sporting Clays Assoc. Inc. will develop and implement a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another person.

#### **7.1.2: Code of Conduct for Adults and Children**

The Queensland Sporting Clays Assoc. Inc. will ensure that the organisation has code of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care.

The QSCA code of conduct sets out professional boundaries, ethical behaviour and unacceptable behaviour. (See Attachment 2)

#### **7.1.3: Choose Suitable Employees and Volunteers**

The Queensland Sporting Clays Assoc. Inc. will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions). (see attachment 1)

#### **7.1.4: Support, Train, Supervise and Enhance Performance**

The Queensland Sporting Clays Assoc. Inc. will ensure that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

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

The Queensland Sporting Clays Assoc. Inc. will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

### **7.1.6: Report and Respond Appropriately To Suspected Abuse and Neglect**

The Queensland Sporting Clays Assoc. Inc. will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The Queensland Sporting Clays Assoc. Inc. will make all volunteers and employees aware of their responsibilities under respective state laws if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

In addition to any legal obligation, if any person feels another person or organisation bound by this policy is acting inappropriately towards a child or is breaching the code(s) of practice set out they may make an internal complaint. Please refer to our complaints procedure outlined in attachment 2 of this policy. This will explain what to do about the behaviour and how the Queensland Sporting Clays Assoc. Inc. will deal with the problem.

## **7.2 Supervision**

Members under the age of 17 must be supervised at all times by a responsible adult. Our association will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 17 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

## **7.3 Transportation**

Parents/guardians are responsible for transporting their children to and from association activities (e.g. practice and games). Where our association makes arrangements for the transportation of children (e.g. for away or over night 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 appropriate safety measures are available (e.g. fitted working seatbelts)

## **7.4 Taking Images of Children**

Images of children can be used inappropriately or illegally. The association requires that members, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that 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 the association uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the 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 as grooming tools by pedophiles 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 successes, etc.

## **8. Anti-harassment, Discrimination and Bullying**

Our association opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favorably 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 are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

Our association takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the association.

## **9. Inclusive practices**

Our association is welcoming and we will seek to include members from all areas of our community.

### **9.1 People with a disability**

Where possible we will include people with a disability in our teams and club. We will make reasonable adaptations (e.g. modifications to equipment and rules) to enable participation.

### **9.2 People from diverse cultures**

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

### **9.3 Sexual & Gender Identity**

All people, regardless of their sexuality, are welcome at our club. We strive to provide a safe environment for participation and will take action over any homophobic behaviour.

### **9.4 Pregnancy**

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. We recommend pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation.

## **10. Responding to Complaints**

### **10.1 Complaints**

Our association takes all complaints about on and off-range behaviour seriously. Our association will handle complaints based on the principles of procedural fairness (natural justice), that is:

- all complaints will be taken seriously;
- both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story);
- irrelevant matters will not be taken into account;
- decisions will be unbiased and fair; and
- any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to our national body Sporting Clays Australia.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our club will 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 association, the person receiving the complaint (e.g. Secretary, President, and Member Protection Information Officer) will:

Refer the complaint to the association's management committee. The committee will then establish a Disciplinary Committee as prescribed in the association's Code of Conduct (see attachment 2)

The Disciplinary Committee will:

- listen carefully and ask questions to understand the nature and extent of the problem;
- ask what the complainant would like to happen;
- explain the different options available to help resolve the problem;
- take notes; and
- maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the association 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 our national body Sporting Clays Australia; 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 our national body Sporting Clays Australia and an investigation is conducted, the association will:

- co-operate fully;
- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on our national body's (Sporting Clays Australia) recommendations.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

### **10.3 Disciplinary Hearing Procedures**

Our associations procedures are prescribed in the Code of Conduct 2.3 (see attachment 2)

### **10.4 Penalties**

Our associations penalties are prescribed in the Code of Conduct 2.4 (see attachment 2)

### **10.5 Appeals**

Our association's appeals processes are prescribed in the Code of Conduct 2.5, 2.6, 2.7, 2.8, 2.9, 2.10. (see attachment 2)

## Attachment 1: MEMBER PROTECTION DECLARATION

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Our association has a duty of care to all those associated with our association. 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 .....  
..... (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
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 association 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 association immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the *State/Territory* of .....  
on ...../...../.....(date) Signature .....

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### 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: .....

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## **Attachment 2: CODES OF CONDUCT**

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### **CODE OF CONDUCT OF QUEENSLAND SPORTING CLAYS ASSOCIATION INC.**

**Approved 10th August 2013**

#### **Codes of Conduct and Disciplinary Procedures By-Law**

In accordance with Rule 8 of the Registered Rules of the Queensland Sporting Clays Association Incorporated ("QSC Association"), this By-Law is adopted by the Committee.

The Codes of Conduct and Disciplinary Procedures By-Law are divided into two parts:

1. Establishes general and specific standards of behaviour expected of Members of QSC Association. In addition to the General Code of Conduct, QSC Association Members and other persons are also required to comply with the specific Codes of Conduct, as are appropriate.
2. Sets out the procedure for dealing with disciplinary actions against Members, breaches of the Codes of Conduct and other matters under the Rules of QSC Association.

### **1. Establishment General and Specific Standards**

#### **1.1. General Code of Conduct**

Members, administrators, officials, competitors, spectators, service providers, employees, volunteers and anyone other person associated with any activity or event held by or sanctioned by Queensland Sporting Clays Association must:

- 1.1.1. Not discriminate against, abuse, harass, ridicule or embarrass anyone covered by this Code of Conduct or otherwise associated with a Queensland Sporting Clays Association activity or event;
- 1.1.2. Be fair, considerate and honest in all dealings with others;
- 1.1.3. Treat all persons with respect, dignity and have proper regard for their rights and obligations;
- 1.1.4. Respect the privacy of other persons;
- 1.1.5. Act at all times in a fair and sporting manner and in such a way as to ensure good relations within and between participants and other organisations;
- 1.1.6. Not engage in deliberate distraction or interruption of the competitors during competition;
- 1.1.7. Refrain from any form of intimidation or victimisation towards others;
- 1.1.8. Ensure that any junior competitors are accompanied and/or observed during sporting and associated activities;
- 1.1.9. Conduct themselves in a proper manner to the satisfaction of Queensland Sporting Clays Association and its delegates, so as not to bring themselves, Queensland Sporting Clays Association or the sport of shooting into public disrepute or censure;
- 1.1.10. Not use involvement with the Queensland Sporting Clays Association to promote individual beliefs or practices where these are inconsistent with the Queensland Sporting Clays Association or the sport of shooting;
- 1.1.11. Not disclose to any unauthorised person or organisation information that is of a confidential or privileged nature concerning a team or an individual connected with Queensland Sporting Clays Association.
- 1.1.12. Not promote, pass on, exchange or publish information where that information may be of a confidential, offensive, scandalous, unsubstantiated or derisive nature;
- 1.1.13. Understand the possible consequences of breaching the Queensland Sporting Clays Association Codes of Conduct; and

1.1.14. Immediately report any breaches of the Queensland Sporting Clays Association Codes of Conduct to the Management Committee or Executive Officer.

## **1.2. Administrators' Code of Conduct**

1.2.1. QSC Association administrators (both volunteers and professionals) must:

1.2.2. Aim to provide and promote an environment free from abuse, discrimination and harassment in relation to employment, functions, events, competitions, membership eligibility and provision of goods and services;

1.2.3. Distribute and implement this By-Law and promote the use of the disciplinary procedure;

1.2.4. Take all reasonable steps to prevent abuse, discrimination and harassment and ensure that this position is widely known through all levels of QSC Association activities;

1.2.5. Identify and implement appropriate procedures to handle abuse, discrimination, harassment and other complaints;

1.2.6. Respond to complaints in an impartial, sensitive, fair, timely and confidential manner;

1.2.7. Provide all people with an equal opportunity to participate;

1.2.8. Ensure that rules, equipment and length of competition are safe and are modified to suit age, ability and maturity level of competitors;

1.2.9. Ensure that it is made clear that abuse of any form is unacceptable and will result in disciplinary action; and

1.2.10. Set an example of appropriate, positive and supportive behaviour towards all QSC Association Members.

## **1.3. Competitors' Code of Conduct**

1.3.1. QSC Association competitors must:

1.3.2. Act in a sporting manner, having regard to principles of fairness and common courtesy, at all times;

1.3.3. Control their temper. Verbal abuse of officials, sledging of other competitors or deliberately distracting or provoking other competitors are not acceptable or permitted behaviours;

1.3.4. Respect the rights, dignity and worth of all participants regardless of their ability, gender or cultural background;

1.3.5. Refrain from making bullying, derogatory or demeaning remarks about other people;

1.3.6. Treat all other competitors as they would like to be treated;

1.3.7. Not discriminate against, abuse or harass anyone else;

1.3.8. Never argue with an official;

1.3.9. Abide by the rules of competition as determined by QSC Association or its delegate; and

1.3.10. Respond to Members' concerns or allegations of breaches of this By-Law.

## **1.4. Officials' Code of Conduct**

Officials (both volunteers and professionals) of QSC Association activities and competitions must:

- 1.4.1. Compliment and encourage all participants
- 1.4.2. Be consistent, unbiased, objective and courteous when making decisions
- 1.4.3. Condemn unsporting behaviour and promote respect for all competitors
- 1.4.4. Keep up to date with the latest available resources and information in relation to the sport of shooting;
- 1.4.5. Treat all participants with respect at all times
- 1.4.6. Avoid situations that may lead to a conflict of interest;

## **2. The Establishment of Disciplinary Committee**

The committee shall establish a Disciplinary Committee as required to deal with all disciplinary actions against Members, breaches of the Codes of Conduct and other matters under these Registered Rules

### **2.1. Composition of Disciplinary Committee:**

2.1.1. The Management Committee shall appoint a Disciplinary Committee Panel comprising Five (5) people for the purpose of hearing disciplinary actions and other matters under these Registered Rules. Three (3) members of the Disciplinary Committee Panel should constitute a quorum for the Disciplinary Committee. The Disciplinary Committee shall also appoint or elect a member of the Disciplinary Committee to act as the Chairperson of the Disciplinary Committee Panel and for the Disciplinary Committee for each hearing.

2.1.2. The Disciplinary Committee must and shall include one (1) appointed Management Committee member.

2.1.3. A person who has been directly involved in or affected by the matter in dispute, or where a conflict of interest would otherwise arise, shall not be eligible to be a member of the Disciplinary Committee which hears the matter in dispute

### **2.2. Notice of Alleged Breach**

2.2.1. Where the Management Committee is advised or considers that a Member of Queensland Sporting Clays Association has allegedly:

2.2.1.1. Breached, failed, refused or neglected to comply with a provision of the Rules, Registered Rules or any resolution or determination of the Management Committee or any other duly authorised committee;

2.2.1.2. Breached the Codes of Conduct

2.2.1.3. Acted in a manner unbecoming of a Member or prejudicial to the objects and interests of Queensland Sporting Clays Association and/or the sport of shooting; or

2.2.1.4. Brought Queensland Sporting Clays Association and/or the sport of shooting into disrepute;

2.2.2. The Secretary shall, as soon as practicable following the appointment of a Disciplinary Committee, serve on the Member a notice in writing:

2.2.2.1. Setting out the specific details alleged breach by the Member;

2.2.2.2. Setting out the facts and grounds on which the alleged breach is based;

2.2.2.3. Stating that the Member may address the Disciplinary Committee at a hearing to be held not later than 28 days after service of the notice;

2.2.2.4. Stating the date, place and time of that hearing; the hearing may be held at any other time that the Secretary, Chairperson of the Disciplinary Committee and the Member agree.

2.2.2.5. Informing the Member that he or she may do one or more of the following:

2.2.2.5.1. Attend the hearing;

2.2.2.5.2. Give the Disciplinary Committee, before the date of that hearing, a written statement regarding the alleged breach.

2.2.2.5.3. Informing the member that if they do not attend the hearing and/or provide a written statement prior to the hearing, the hearing will proceed and the matter will be determined in their absence.

### **2.3. Disciplinary Hearing Procedures**

2.3.1. At a hearing of the Disciplinary Committee, the Disciplinary Committee shall:

2.3.1.1. Give the Member every opportunity to be heard;

2.3.1.2. Give other aggrieved parties and any witnesses the right to be heard, present evidence or submit a written statement;

2.3.1.3. Give due consideration to any written statement submitted by the Member; and

2.3.1.4. By majority resolution determine whether the alleged breach occurred.

2.3.2. Neither Queensland Sporting Clays Association nor the Member shall be entitled to any legal representation (legal or otherwise) but with the leave of the Disciplinary Committee may be represented by another at the hearing, but if the hearing relates to an alleged breach by a Junior Member then the Junior Member shall be entitled to be represented by his or her parent or guardian but the Junior Member must be present.

2.3.3. The Disciplinary Committee shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) and shall determine what evidence shall be admissible at the hearing, provided that it does so in accordance with the principles of natural justice.

2.3.4. Disciplinary Committee will make its decision immediately following the conclusion of the hearing if possible, but otherwise it shall deliver its decision and reasons to the Member and the Management Committee within fourteen (14) days of the hearing.

2.3.5. If the Disciplinary Committee considers that the alleged breach did not occur, the matter shall be dismissed.

2.3.6. If the Disciplinary Committee considers that the alleged breach occurred, it may impose any one or more of the penalties as set out in Rule 8.5 of these Registered Rules.

2.3.7. Each party shall be responsible for their own costs associated with the Disciplinary Committee hearing. The Disciplinary Committee has the discretion to make an order to reimburse costs to a party.

### **2.4. Penalties:**

2.4.1. If the Disciplinary Committee considers that the alleged breach occurred, the Disciplinary Committee may impose any one or more of the following penalties:

2.4.1.1. Impose a warning;

2.4.1.2. Reprimand the member;

2.4.1.3. Direct the member to make verbal or written apology;

2.4.1.4. Direct a member to reimburse costs to the Association of the hearing cost

2.4.1.5. Where there has been damaged to property, direct that the member pay compensation to the relevant person or organization that controls or has possession of the damaged property;

2.4.1.6. Withdrawal of any awards, placing's, records, or achievements bestowed upon the member in

any competition, activity or event held by the association.

2.4.1.7. Direct that any funding granted or given to the Member by Queensland Sporting Clays Association cease from a specified date;

2.4.1.8. Direct that any rights, privileges and benefits provided to that Member by Queensland Sporting Clays Association be suspended for a specified period and/or terminated;

2.4.1.9. Direct that Queensland Sporting Clays Association cease to sanction events held by or under the auspices of that Member;

2.4.1.10. Suspend the Member from membership of Queensland Sporting Clays Association for a specified period;

2.4.1.11. Expel the Member from Queensland Sporting Clays Association and

2.4.1.12. Any other penalty that the Disciplinary Committee considers appropriate.

## **2.5. Right of Appeal from Decision of Disciplinary Committee**

2.5.1. Association or member may only appeal against a decision of the disciplinary committee on one or more to the following grounds of appeal:

2.5.1.1. Significant new or additional evidence has become available;

2.5.1.2. The penalty imposed by the Disciplinary Committee is not in accordance with the provisions of these Registered Rules;

2.5.1.3. The penalty imposed by the Disciplinary Committee is manifestly excessive; or

2.5.1.4. The Disciplinary Committee failed to substantially follow the procedures or requirements of these Registered Rules and this failure caused a significant detriment to the party seeking the appeal.

## **2.6. Notice of Appeal:**

2.6.1. A person seeking to appeal a decision of the Disciplinary Committee ("the Appellant") must lodge a notice stating full details of the grounds of appeal ("the Notice of Appeal") with the Secretary of Queensland Sporting Clays Association within seven (7) days receiving notice of the decision of the Disciplinary Committee.

## **2.7. Appeals Tribunal**

2.7.1. Upon receipt of a valid Notice of Appeal, the Management Committee shall convene an Appeals Tribunal to hear and determine the appeal in accordance with these Registered Rules

2.7.2. The Appellant shall be notified within seven (7) days of receipt of the Notice of Appeal of the time, date and place of the appeal hearing.

2.7.3. The Appeals Tribunal shall consist of three (3) people appointed by the Management Committee to hear the appeal. The Management Committee shall also appoint a member of the appeals tribunal as the Chairperson. Three (3) members of the Appeals Tribunal shall constitute a quorum

2.7.4. No member of the Management Committee shall be appointed to the Appeals Tribunal, but if there is a vacancy on the Appeals Tribunal at the time of the hearing then this position may be filled by a member of the Management Committee.

2.7.5. A person that has been directly involved in or affected by the matter in dispute or who was a member of the Disciplinary Committee that originally decided the matter or where a conflict of interest would otherwise arise, shall not be eligible to be a member of the Appeals Tribunal.

## **2.8. Appeals Tribunal Procedures**

2.8.1. The Appeals Tribunal and persons appearing before it are bound by the same procedures under 8.4 of these Registered Rules as if the Appeals Tribunal was a Disciplinary Committee hearing a matter at first instance.

2.8.2. The Secretary shall forward records of the Disciplinary Committee hearing in which the matter the subject of the appeal was heard at first instance to the Chairperson of the Appeals Tribunal.

2.8.3. The appeal hearing shall be a full re-hearing of the facts and circumstances of the matter.

2.8.4. The Appeals Tribunal may request further information prior to determining the appeal and it has discretion as to whether or not new evidence may be allowed.

2.8.5. An Appeals Tribunal shall have the power, in such manner as it thinks fit, to:

2.8.5.1. Dismiss the appeal;

2.8.5.2. Uphold the appeal;

2.8.5.3. Impose any of the penalties set out in 8.5 of these Registered Rules; and/or

2.8.5.4. Reduce, increase or otherwise vary any penalty imposed by the Disciplinary Committee.

2.8.6. Within 7 days of the conclusion of the appeal hearing, the Chairperson of the Appeals Tribunal shall ensure that the Appellant and the President are notified of the decision of the Appeals Tribunal.

2.8.7. The Appeals Tribunal shall not be required to provide reasons for its decision.

2.8.8. Each party to an appeal shall be responsible for their own costs. The Appeal Tribunal has the discretion to make an order to reimburse costs to a party.

## **2.9. Single Right of Appeal**

2.9.1. There is only one right of appeal following the decision of the Disciplinary Committee hearing, which right is provided as set out in 8.7 of these Registered Rules.

2.9.2. Appeals Tribunal must solely and exclusively resolve any appeal

2.9.3. And the decision of the Appeals Tribunal is final and binding on the parties.

## **2.10. Exhaust Internal Appeal**

2.10.1. A Member must exercise the right of appeal under these Registered Rules and have any appeal heard and determined by the Appeals Tribunal before commencing any proceedings or becoming a party to any proceedings in a court of law.



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