



# YORKE PENINSULA DIRT KART CLUB Inc.

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Policy Number:	002	Date Written:	1 <sup>st</sup> March 2013
Authorised By:	YDPKC Inc Committee	Date Last Adopted:	19 <sup>th</sup> March 2013

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## MEMBER PROTECTION POLICY AND PROCEDURES

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This Policy is binding on all members due to being an incorporation entity as detailed in the YDPKCI Constitution.

This Policy is available for to all members and associated persons: via email from Secretary, in the Club House 'Policies and Procedures' Folder and Club Website.

This Policy will be reviewed annually by the YDPKCI Committee prior to each season commencement.

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### 1. Introduction

The Y.P. Dirt Kart Club Incorporation (hereinafter referred to as YPDKCI) has adopted the following Mission Statement:

- To maintain and to provide a dirt kart race track and associated facilities that fully meets the requirements under the track licensing and associated agreements for all events, to ensure racing of a high safety and quality and standard at all times.
- To promote and operate the club in a fair, fun, safe, and nurturing manner for drivers, volunteers, supporters and spectators; that is family friendly and non-discriminatory.
- To promote and operate events throughout the year with qualified staff and volunteers in a safe and competitive racing environment, ensuring the needs of experienced and non-experienced drivers are met.
- To promote dirt kart racing, in a positive manner and appropriate ethics, to ensure the future of the sport.
- To have the vision and planning for future improvements, ensuring timely and appropriate risk assessments are carried out and implemented for longevity of the Club
- All the above to be carried, in conjunction with all licensing agreements, affiliations and associations, including (but not limited to)
  - Australian Independent Dirk Kart Association.
  - Liquor Licensing
  - Star Club
  - Goods Sports
  - Department of Sports and Recreation - Play by the Rules initiative.

## **2. Purpose of Our Policy**

The main objective of our Member Protection Policy (policy) is to maintain responsible behaviour and ethical and informed decision-making by participants in this club. This policy 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 club 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 club including committee members, administrators, coaches, officials (umpires/referees/judges), volunteers, players, parents and spectators.

## **4. Extent of Our Policy**

Our policy covers unfair decisions (e.g. team selection), breaches of our code of behaviour and inappropriate behaviour that occurs at practice, at meetings, in the club rooms, at social events organised or sanctioned by the club (or our district, regional, state or national body), on away and overnight trips and any behaviour that brings or is likely to bring our club or sport into disrepute. It also covers behaviour where there is suspicion of harm towards a child or young person.

## **5. Club Responsibilities**

We will:

- make any necessary amendments to our Constitution, rules or other policies to enable this policy to be enforceable;
- 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 every 12-18 months; and
- seek advice from, and if necessary or appropriate, refer serious issues to AIDKA.

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 body request to be referred to them (e.g. conflict of interest).

## **6. Individual Responsibilities**

Everyone associated with our club 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 YPDKCI 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.

The YPDCKI acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. The YPDKCI 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 YPDKCI 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.

#### **7.1.2: Develop Codes of Conduct for Adults and Children**

The YPDKCI will ensure that the organisation has codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. The organisation will also implement a code of conduct to address appropriate behaviour between children.

The Code of Conduct sets out professional boundaries, ethical and unacceptable behaviour.

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

The YPDKCI 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).

This may be achieved using a range of screening measures. Refer to YPDKCI Police Check Guidelines. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

If a criminal history report is obtained as part of their screening process, the YPDKI will ensure that the criminal history information is dealt with in accordance with the standards developed by the Chief Executive, Department for Education and Child Development.

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

The YPDKCI 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 YPDKCI 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 YPDKCI will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The YPDKCI will make all volunteers and employees aware of their responsibilities under the *Children's Protection Act 1993 to make a report to the Child Abuse Report Line (13 14 78)* if they have suspicion on reasonable grounds that a child has been or is being abused or neglected.

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 4 of this policy. This will explain what to do about the behaviour and how the YPDKCI will deal with the problem.

### 7.2 Supervision

Members under the age of 16 must be supervised at all times by a responsible adult. Our club 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 16 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

Parents must turn up on time to collect their child for reasons of courtesy and safety. If it appears a member will be left alone at the end of a training session with just one child, they will ask another member to stay until the child is collected.

### 7.3 Transportation

Parents/guardians are responsible for transporting their children to and from club activities (e.g. practice and meets). Our club will not make arrangements for the transportation of children (e.g. for away or overnight trips), any arrangements to do so, will be the responsibility of the parent and the other party to ensure 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

The YPDKCI acknowledges that in South Australia under the *Summary Offences Act 1953* a person must not engage in indecent filming. Images of children and adults should not be used inappropriately or illegally.

Our club 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. (This authorization is part of the annual membership form). Our club also requires the privacy of others to be respected and disallows the use of camera phones, videos and cameras inside changing areas, showers and toilets.

As the club uses photos from meet results, only names will be published. 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 club opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is

offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying 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 club 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 club (see Responding to Complaints).

## **9. Inclusive practices**

Our club 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 club 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. The club strongly does not recommend pregnant women to compete due to associated risks involved in racing.

### **10.5 Girls playing in boys teams**

Our club does not separate girls and boys for racing purposes as it is an equal playing field.

## **10. Responding to Complaints**

### **10.1 Complaints**

Our club takes all complaints about on and off-site behaviour seriously. Our club 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 AIDKA.

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 and our state/national body.

### **10.2 Complaint Handling Process**

When a complaint is received by our club, the person receiving the complaint (e.g. President, Complaint officer) 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 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 Body MPIO, State Department of Sport or anti-discrimination agency);
- referring the complaint to AIDKA; 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 AIDKA and an inquiry is conducted, the club 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 AIDKA 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 Measures**

Our club will 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;
- Be determined by our Constitution, By Laws and the rules of the game.

Possible measures that may be taken include:

- verbal and/or written apology;
- counselling 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 can lodge one appeal against decisions of or disciplinary measures imposed by our club to AIDKA. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

## **Attachment 1: CODES OF CONDUCT**

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Australian Independent Dirt Karting Association (AIDKA) and the Yorke Peninsula Dirt Kart Club Incorporated (YPDKCI), in conjunction with Star Club and Play by the Rules, encourages good sportsmanship at all levels of interaction and competition at all times. This policy provides a minimum standard of Code of Conduct expected:

- at any event held by the YPDKCI for any person in attendance
- for any member representing YPDKCI at any venue.

### **ALL PERSONS**

1. The Club has a nil tolerance to inappropriate emotional, physical and verbal behaviour. This includes verbal abuse, uncontrolled tempers, inappropriate language (coarse and derogatory); raised voices, threats of any nature; physical violence and associated mannerisms. This includes all social media – refer to social media section below for more information.
2. All persons (including officials, volunteers, competitors, pit crew, supporters and spectators are to be treated in a manner as you would like to be treated yourself, including but not limited to:
  - 2.1 Show respect and control when speaking to others at all times not matter what the situation.
  - 2.2 Respect the rights, dignity ad worth of all regardless of their gender, ability, cultural background or religion.
  - 2.3 Respect track operators by adhering to the rules and guidelines (refer policy available in Club house).
3. The YPDKCI has an appointed Child Safety Officer, whose name is stated on the notice board in the Club house. Their role is to promote the establishment of a child-safe environment. All persons at any event have a responsibility to do their best to keep all children safe and protected from physical, emotional and verbal harm.
4. If you have a reasonable suspicion that a child under the age of 18 is being advised or neglected, you must report the matter to the Child Abuse Report Line 131478 and notify the Child Safety Officer or Club President of your concerns.
5. Adhere to AIDKA Pit Rules and Regulations.

### **ALL KART DRIVERS AND PIT/SUPPORT CREW**

6. Must comply with AIDKA Rules of Racing, including any specific track rules.
7. Must comply at all times to AIDKA Pit Rules and Regulations.
8. Must comply at all times to AIDKA Drug and Alcohol Policy.
9. Always compete to the best of your ability, with honour and integrity.
10. Respect the decision of officials and never argue with decisions. Most officials have volunteered their services, to try and ensure smooth, efficient and fair conduct at each race meeting. If you have a complaint, speak to the Chief of the Course who will make the call if further action is necessary.
11. Be a good role model at all times, demonstrating safe and responsible behaviour inside and outside of organised racing events, especially on public roads.

**Attachment 1: CODES OF CONDUCT *continued*.....**

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12. Competitors are responsible for their own conduct, as well as the conduct of any persons associated with them, including and not limiting to their pit crew, support crew, kart owners and sponsors.
13. Verbal abuse, intimidating behaviour, taking unfair advantage or sledging other competitors, deliberately distracting or provoking competitors will not be tolerated. Treat all competitors as you would like to be treated.
14. Be environmentally conscious; keep your area clean and treat spills appropriately. Leave your area as when you first arrived.
15. Event specifics:
  - 15.1 Kart scrutineering will be conducted in the area nominated, being the Scrutineering shed.
  - 15.2 Scrutineering will commence two and half hours prior to the first race and; cease an hour prior to the first race.
  - 15.3 Drivers are responsible for kart owners and supporters and must ensure that they are wearing race day armband and appropriate clothing and footwear at all times.
  - 15.4 Drivers and crew working on karts are to do so in a safe manner and using safe methods at all times within the designated pit area only.
  - 15.5 No smoking or alcohol consumption is allowed in the pit area or track arena.
  - 15.6 It is the driver's responsibility to ensure that bring their kart to grid area, with helmets and other safety equipment, along with a pusher, and be ready – seated by the white flag of the prior race.
  - 15.7 Any disputes or protests must be managed in accordance with the stated process at the driver information meeting which is held prior the race commencing.

**OFFICIALS AND VOLUNTEERS**

All Officials are to be:

16. Impartial, consistent and objective at all times
17. Place the safety and welfare of all participants and spectators above all else.
18. Ensure the spirit of the competition is maintained.
19. Be understanding and cooperative in the interpretation and application of the rules and penalties
20. Promote respect for all competitors and condemn and act upon appropriately unsporting like behaviours.

**PARENTS AND SUPPORTERS OF UNDER 18 YEARS OF AGE COMPETITORS**

All parents and supporters of Under 18 Years of Age Competitors are to:

21. Encourage children to participate to the best of their ability
22. Focus upon the child's performance, rather than the overall outcome of the event.

**Attachment 1: CODES OF CONDUCT *continued*.....**

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23. Educate and promote that an honest effort is as important as a victory.
24. Educate and promote the child to follow the AIDKA Rules of Racing, and all other YPDKI policies and regulations.
25. Ensure children respect the decisions of the officials and stewards.
26. Educate that the most officials have volunteered their time and without them the events would not eventuate.
27. Set a good example by avoiding the use of derogatory or abusive language, respect officials and volunteers, never ridicule or scold a child for making a mistake during competition.
28. For further education, please refer to [www.playbytherules.net.au](http://www.playbytherules.net.au) to stop the *ugly parent syndrome* from happening.

**SOCIAL MEDIA**

AIDKA and YPDKCI encourage participation in online social media, which is only to be done in a positive and supportive manner. The accessible nature of the internet however, can lend itself to the posting of threatening and derogatory material in the heat of the moment. Once your thoughts and comments are published on the internet they are visible to the world and are then permanent. It reflects on you as an individual, you as a member of YPDKCI and AIDKA and the sport in general. AIDKA and YPDKCI will take all cases of cyber bullying seriously and this may lead to legal involvement. Breaching this Code of Conduct, the Communication Policy or bringing the sport into disrepute can lead to serious consequences, including tribunals, suspensions and the cancellation of the offenders license.

**PENALTIES:**

*All persons are reminded that noncompliance with any of the above can result in serious consequences, including tribunals, suspensions or loss of license. A minimum being a verbal warning or immediate removal from venue with no further racing to continue until done so; or a minimum of possible three month to the maximum of a life ban from any event held in association with AIDKA.*

**AGREEMENT TO THE CODE OF CONDUCT POLICY**

Whilst kart racing does have its associated risks, event organisers will do their absolute best to minimise preventable accidents from happening. You are advised that payment of the gate entrance fee (and payment of race day registration fee for Drivers) confirmed you enter at your own risk and agree to abide by the YPDKCI Code of Conduct Policy.

## **Attachment 2: SCREENING REQUIREMENTS**

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Criminal History Assessment/Managing criminal history information of people working with children in South Australia

A criminal history assessment is a decision about whether a person is suitable to work with children based on the person's criminal history (if any) and the assessed risk to children who access services from the organisation.

The AIDKA may conduct a criminal history assessment themselves or apply to a third party (such as the State Body or Screening Unit) for an assessment and letter of clearance.

The AIDKA undertakes to follow the Standards issued by the Department for Education and Child Development when conducting criminal history assessments. These Standards are outlined below.

### **2.1 – Identifying affected positions**

The AIDKA will conduct an assessment of the criminal history of every person who is, or will be, engaged to work with children in this organisation, its affiliated associations and clubs.

As a first step, the AIDKA has identified all individuals and positions within the organisation that involve working with children. It is a requirement under AIDKA Rules that a minor must have a parent or appointed guardian with them at all times.

These positions include, but not limited to be are:

- President
- Vice President
- Secretary
- Child Safety Officer
- Nominations Secretary
- Chief of the Course
- Any other person who the Executive see it necessary as they have direct involvement with any child under 18, where his or her guardian is not present at any time; or has access to the child's records.

### **2.2 – Procedures**

YDPKCI has set out the following policy and supporting procedures for obtaining criminal history reports.

New Staff:

1. All new staff selected to fill a prescribed position must obtain National Police Certificate by making application to the South Australian Police. The cost of obtaining this check will be paid by YDPKCI or AIDKA, depending on level of involvement, which will be determined by the Executive Committee.
2. On receipt of the completed form and 100 point check papers signed by the South Australian Police, the original documentation must be presented to YPKCI Secretary to establish the true identity of the applicant to AIDKA.
3. The document will be assessed in accordance with legislative requirements and returned to the person as soon as practicable.
4. The criminal history assessment is required to be repeated every three years or as requested by the Board.

Existing / New Members and Volunteers:

1. All existing members and volunteers holding a prescribed position must obtain a National Police Check by making application to the South Australian Police. The cost of obtaining this check will be met by using the organisations VOAN.

2. On receipt of the completed form and 100 point check papers signed by the South Australian Police, the original documentation must be presented to YPKCI Secretary to establish the true identity of the applicant to AIDKA.

## **Attachment 2: SCREENING REQUIREMENTS *continued*.....**

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3. The document will be assessed in accordance with legislative requirements and returned to the person as soon as practicable.
4. The criminal history assessment is required to be repeated every three years or as requested by the Board.

### **2.3 – Accepting “Other Evidence”**

YPDKCI will, in lieu of undertaking a criminal history screening check as set out in 2.2, accept the following forms of evidence (obtained within the last three years) to assess a person’s suitability to work with children.

- A National Police Certificate that does not expressly state that it cannot be used as a clearance to work with children.
- A Letter of clearance to work with children from a CrimTrac accredited agency: Such as the DSCI Screening Unit; Teacher Registration Board or Catholic Education Office.
- An interstate working with children check, from: Queensland, Victoria or Western Australia.

Acceptance of any of these checks is subject to the person completing a 100-point check, to enable that YPDKCI establishes the true identity of the applicant.

The YPDKCI may also at its discretion seek a statutory declaration for any *employee(s)* or *volunteer(s)* who have been citizens or permanent residents of another country other than Australia since turning 18 years of age.

### **2.4 – Assessing criminal history information**

In the majority of cases, a person will have no criminal history. In these cases, the assessment will be successfully completed and no further action in respect to an assessment will be required.

The YPDKCI believes the following categories of criminal convictions present a prima-facie *risk of harm* to children. No person will be considered suitable to be employed, contracted, hired, retained, accepted as a volunteer, or allowed to undertake prescribed functions for the YPDCKI if he or she has been convicted of:

- murder or sexual assault
- violence in relation to a child
- an offence relating to child pornography
- an offence involving child prostitution
- a child abuse offence, for example criminal neglect.

The YPDKCI believes that there can be a presumption that there is a risk of harm to children but further assessment is necessary before a decision to exclude a person can be made.

These types of criminal offences include:

- sexually-motivated offences
- violence offences/assault including any form of assault which has resulted in a sentence of imprisonment
- offences relating to cruelty to animals
- any other offences against a child (including drug offences).

In addition, other criminal offences may be relevant to specific, prescribed functions, including: dishonesty offences, serious drug-related matters or serious traffic offences. None of these offences will automatically preclude an individual from being engaged to undertake prescribed functions. Any such person will be asked to make further application to the Screening Unit for a more thorough assessment. This cost of this screening check to be met by the individual.

The decision of this process will be deemed to be final and binding on all parties.

## **Attachment 2: SCREENING REQUIREMENTS *continued*.....**

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### **2.5 – Ensuring procedural fairness if a person has a criminal history**

All individuals will be provided with the opportunity to confirm or dispute the information contained within the National Police Certificate report and to provide contextual information if they wish, before the assessment is conducted.

Prior to a decision being made, the YPDKCI will communicate to the applicant a pending decision not to employ or engage them because of their criminal history and the reasons for this decision.

The individual may request that the final assessment be referred to the Screening Unit (if it has not already been done). Which decision shall be final and binding.

### **2.6 – Records management**

The YPDKCI will take specific actions to store and record information obtained through conducting a criminal history assessment. This includes taking measures to ensure information is protected and confidentially stored and safeguards to protect against loss, unauthorised access, modification, disclosure or other misuse.

Criminal history information will not be retained once a decision has been made regarding the person's suitability to work with children. No criminal history information will be retained beyond three months.

The YPDKCI will retain the following information regarding their decision:

- That a criminal history report was obtained
- How the criminal history information affected decision making processes
- Statutory declarations (where applicable)

The attached criminal history assessment template will be used to record this information.

### **2.7 - Exemptions from the requirement to conduct criminal history assessments**

In accordance with guidelines the YPDKCI has agreed to exempt the following persons from the requirement to undertake a criminal history assessment, unless that person is also involved in a function or event conducted by the YPDKCI its affiliated associations or clubs which involves the care of children in overnight accommodation.

- A person volunteering in an activity in which their child ordinarily participates;
- A person who volunteers who is less than 18 years of age;
- A person working or volunteering for a short-term event or activity of less than 10 days duration or for no more than 1 day in any month;
- A person occupying a position in which all work involving children is undertaken in the physical presence of the child's parents or guardians and in which there is ordinarily no physical contact with the children;
- A person who undertakes, or a position that only involves, work that is primarily provided to adults or the community generally and is not provided to any child on an individual basis;
- An organisation that provides equipment, food or venues for children's parties or events but does not provide any other services to children;
- A person who has regular contact with a child as part of an employment relationship with that child (such as a person working alongside a child or supervising an employee who is a child);
- A person who is appointed as a police officer or is a registered teacher. (Police officers and teachers are already subject to comprehensive criminal history assessments as a prerequisite for employment).

### Criminal History Assessment Form

<b>Name of person</b>	
<b>Description of position that the person occupies or will occupy</b>	
<p><b>The person provided, or consented to providing, acceptable evidence relating to their criminal history</b></p> <p><i>(For example, an original or certificate copy report of his/her police certificate, a letter of clearance or an interstate working with children clearance.)</i></p> <p>See Standards 1 – 4</p>	<p><b>Yes</b></p> <p><i>Record type of evidence accepted (e.g. police certificate, letter of clearance, interstate clearance)</i></p> <p><b>No</b></p> <p><i>A person who does not provide evidence, or consent to evidence being obtained, is precluded from engagement to work with children in a prescribed position.</i></p>
<b>Date evidence requested</b>	
<b>Date evidence received</b>	
<b>The police certificate or other evidence disclosed no convictions</b>	
<b>The police certificate or other evidence disclosed a conviction requiring further assessment</b>	
<p><b>The police certificate or other evidence disclosed convictions that indicate a prima-facie risk of harm</b></p> <p>See Standard 5</p>	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>
<p><b>The police certificate or other evidence disclosed convictions that potentially indicate a unsuitability to undertake prescribed functions</b></p> <p>See Standard 5</p>	<i>Ensure there is evidence on file regarding the further assessment that was undertaken and the result of the assessment.</i>

**Name of Assessor (s):** \_\_\_\_\_

**Position/Title:** \_\_\_\_\_

**Signature:** \_\_\_\_\_



### **Attachment 3: PROCESS FOR DEALING WITH MEMBERS CHARGED WITH, OR UNDER INVESTIGATIONS FOR A CRIMINAL OFFENSE.**

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This process sets out the procedure that YDPKCI will follow in the event that it becomes aware that a member has been charged with, or is being investigated for, a relevant criminal offence.

#### **Guiding Principle**

The paramount consideration is the rights, interests and wellbeing of children and their protection from harm.

#### **Procedure**

##### **3.1 Risk Assessment**

In the event that YDPKCI becomes aware that a member has been charged with, or is being investigated for, a relevant criminal offence, the managing authority of YDPKCI or senior appointed officers shall make a risk assessment of the risk of harm to children and consider taking protective action.

The risk assessment will be:

- Conducted in accordance with the guidelines and principles set out under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*;
- Recognise that an investigation or charge does not mean that the person is guilty and that the matter needs to be resolved through proper legal avenues;
- Consider all matters on an individual basis and include an assessment of all relevant circumstances;
- Provide the member an opportunity to make submissions on whether he or she had been charged with an offence warranting some action, and what action should be taken;
- Be made in accordance with the principles of natural justice and procedural fairness. Assessment procedures will be transparent, documented and consistently applied;
- Not compromise any police investigations or evidence.

##### **3.2 Outcome**

Where the outcome of the risk assessment is that protective action is necessary, the YDPKCI may:

- Control or supervise contact between the member and children
- Prevent contact between the member and children
- Remove the member from duties until the outcome of the investigation or charge is known;
- Take any other action that is necessary and reasonable in the circumstances.

##### **3.3 Voluntary removal of member pending outcome of charge or investigation**

Where the risk assessment determines that protective action is necessary against a member to safeguard and protect children, YDPKCI will give the member the opportunity to voluntarily remove him or herself from activities until the outcome of the charge or investigation is known.

##### **3.4 Resolution to suspend or remove member**

**Attachment 3: PROCESS FOR DEALING WITH MEMBERS CHARGED WITH, OR UNDER INVESTIGATIONS FOR A CRIMINAL OFFENSE. Continued.....**

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In the event that the member will not voluntarily remove him or herself from activities until the outcome of the charge or investigation is known, the YPDKCI will put forward a resolution to the committee to suspend or temporarily remove the member.

The outcome of the resolution will be recorded in the committee's minutes and then implemented.

The outcome recorded in the committee minutes will not contain unnecessary information relating to the investigation or charge or identify (directly or indirectly) any junior members.

### 3.5 Glossary

*Relevant criminal offence:* means an offence that indicates a prima-facie risk of harm or that potentially indicates unsuitability to work with children.

*Natural justice:* means observing the following principles:  
people are entitled to be informed of allegations made against them  
all persons affected by a decision should be given the relevant information to enable an informed submission to be made to the decision-maker or person subsequently reviewing a decision  
during the review of a decision, all persons affected by a decision should have an opportunity to put their case, relevant arguments should be heard, and relevant information should be accessible to all parties  
decision-makers act fairly and impartially.

*Offence that indicates a prima-facie risk of harm:* has the same meaning as described under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

*Offence that potentially indicates unsuitability to work with children:* Has the same meaning as described under Standard 5 of the *Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*.

*Member:* means a member of the YPDCKI and/or AIDKA.

*Risk assessment* in the context of child protection 'refers to a process of evaluating the information received to reach a decision about the risk of harm a person may pose to children'. (*Child Safe Environments: Standards for dealing with information obtained about the criminal history of employees and volunteers who work with children*).

## **Attachment 4: DUTY STATEMENTS**

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The following positions are appointed at the Annual General Meeting, which allocates the following responsibilities:

### **PRESIDENT**

- Attend committee meetings
- Distribution of responsibilities to members
- Be the public face of the club
- Chair all meetings when required
- Oversee the general operation of the club

### **VICE PRESIDENT**

- Attend committee meetings
- Fulfill the President's position when he/she is unavailable.

### **SECRETARY**

- Attend committee meetings
- Minute all meetings.
- Develop and review all policies and regulations to meet legislative requirements.
- Distribute all correspondence to appropriate members
- Correspond to all club letters and enquiries
- Liaise with President as and when required.

### **TREASURER**

- Attend to race day collection of all monies.
- Attend committee meetings
- Control the finances of the club
- Provide a treasurer's report at committee meetings
- Present an annual report for AGM
- Organise books and reports as per legislative requirements.

### **NOMINATION SECRETARY**

- Attend committee meetings
- Receive driver nominations
- Race day nominations
- Set quick grid
- Organise tower staff

### **AIDKA REPRESENTATIVE**

- Attend committee meetings
- Receive all AIDKA correspondence
- Report to members matters of concern
- Action AIDKA requests
- Attend AIDKA meetings

### **TRACK SAFETY/MAINTENANCE OFFICER**

- Attend committee meetings
- Ensure track is to AIDKA specifications
- Organise track preparation for race days
- Organise Water Truck & Grader driver for race day
- Annual Track Safety assessment

### **PUBLICITY OFFICER**

- Attend committee meetings
- Keep "next race meet" sign up to date
- YPCT Results and Advertising
- Website updates

LICENCE & MEMBERSHIP OFFICER

Attend committee meetings  
Organise YPDKC member's AIDKA License's  
YPDKC Memberships  
Keep current membership details  
Issue Log books/Rule books

MACHINERY MAINTENANCE CO-ORDINATOR

Attend committee meetings  
Maintenance of machinery

- Grader
- Quad Bike
- Water Truck
- Generator
- Roller
- Scales
- Club Karts

FACILITIES MANAGER

Attend committee meetings  
Organise following for race days:

- Canteen/Bar Facility
- Rubbish/recycling
- Gas bottles
- Maintain Grounds / Buildings
- Organise mowing
- Cleaning clubrooms / toilets

VOLUNTEER CO-ORDINATOR

Attend committee meetings  
Organise the following volunteers for Race Day:

- Commentator
- Gate keeper
- Canteen Staff
- St Johns
- Push Vehicle

OFFICIALS CO-ORDINATOR

Attend committee meetings  
Organise the following for Race Day:

- Chief Steward
- Stewards
- Starter
- Grid Marshall
- Scrutineers
- Drivers Rep

CANTEEN MANAGER

- Attend the canteen functions

CHILD SAFETY OFFICER x 2

- Attend to the legislative requirements

GENERAL COMMITTEE MEMBERS

- Help any of the above as required
- Attend committee meetings
- President

*This section is currently still under review*



YDPKCI Member Protection Policy & Procedures

<p>Nature of complaint (category/basis/grounds)</p> <p>Tick more than one box if necessary.</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>	

**YDPKCI Official** Signed:..... Dated: .....

**Complainant** Signed:..... Dated: .....

**Other Party** Signed:..... Dated: .....