



SPEEDCARS AUSTRALIA
MEMBER PROTECTION POLICY

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CONTENTS	PAGE
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POLICY

1. Introduction
2. Purpose of Our Policy
3. Who Our Policy Applies To
4. Extent of Our Policy
5. Speedcars Australia Responsibilities
6. Individual Responsibilities
7. Protection of Children
8. Discrimination, Harassment and Bullying
9. Inclusive Practices
10. Responding to Complaints

Attachment 1: Working with Children Check Requirements

- 1.1. Member Protection Declaration (not applicable to NSW)
- 1.2. Working with Children Check Requirements

Attachment 2: Reporting Requirements and Documents

MEMBER PROTECTION POLICY

1. Introduction

This policy is owned by Speedcars Australia Inc, and written in alignment with the organisation's objective to prosper the sport of Speedcar competition in Australia.

2. Purpose of Our Policy

The main objective of the Speedcars Australia ("our", "us" or "we") Member Protection Policy ("policy") is to maintain responsible behaviour and the making of informed decisions by members and other participants. 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 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 activities.

3. Who Our Policy Applies To

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

- Board members, employees and other parties engaged by Speedcars Australia.
- Officials, administrators, volunteers, and other personnel participating in events and activities.
- Competitors including owners (members), competitors, and crew.

4. Extent of Our Policy

Our policy covers all matters directly and indirectly related to Speedcars Australia and its activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of behaviour and behaviour that occurs at race events, board meetings, social events organised or sanctioned by Speedcars Australia (or our sport), and on away trips. It also covers private behaviour where that behaviour brings our division into disrepute or there is suspicion of harm towards a child or young person.

5. Speedcars Australia 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 Speedway Australia.

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 requests to be referred to them.

6. Individual Responsibilities

Everyone associated with Speedcars Australia 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;

- where required, 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 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;
- 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;
- comply with any decisions and/or disciplinary measures imposed under this policy.

7. Protection of Children

7.1 Child Protection

Speedcars Australia is committed to the safety and wellbeing of children and young people who participate in our activities. We support the rights of the child and will always act 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.

Speedcars Australia 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: 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 they 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)

7.1.2: Choosing Suitable Employees and Volunteers

Speedcars Australia will take 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.

Speedcars Australia 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, Speedcars Australia will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements. (See Attachment 1.3)

7.1.3: Support, Train, Supervise and Enhance Performance

Speedcars Australia 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.

7.1.4: Report and Respond Appropriately to Suspected Abuse and Neglect

Speedcars Australia 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 been, or is being, abused or neglected (See Attachment 2).

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. 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 always supervised by a responsible adult.

7.3 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.

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 to "groom" a child.

We will only use images of children that are relevant to our activities, and we will seek permission from a child's parent or guardian before using their images.

8. Discrimination, Harassment and Bullying

Speedcars Australia 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 based on 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 several 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

Speedcars Australia 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.

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-bullying which occurs using technology. Technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through 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

Speedcars Australia club is welcoming, 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

Speedcars Australia will not discriminate against any person because they have a disability. Where it is necessary, we will allow for reasonable adjustments (e.g., modifications to equipment specifications) to enable participation.

9.2 People from diverse cultures

We will support, respect, and encourage people from diverse cultures and religions to participate.

9.3 Sexual & Gender Identity

All people, regardless of their sexuality or gender identity, are welcome. 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.

10. Responding to Complaints

10.1 Complaints

Speedcars Australia takes all complaints about behaviour related to this policy seriously. We 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.

Affiliated state clubs may address club related matters. More serious complaints can be escalated to Speedway Australia.

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

10.2 Complaint Handling Process

When a complaint is received by Speedcars Australia, the person receiving the complaint (e.g. Secretary, Member Protection Information Officer) will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- explain the different options available to help resolve the complainant's concern (i.e. with their state club, Speedcars Australia, Speedway Australia);
- ask what the complainant how they would like their concern to be resolved and if they need any support;
- 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, Speedcars Australia 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 Speedway Australia or an external agency (e.g., State Department of Sport or anti-discrimination agency);
- referring the complaint to their affiliated state club or Speedway 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 Speedway Australia and an investigation is conducted, Speedcars Australia 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 Speedway Australia'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

Speedcars Australia 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 sport (Speedway Australia).

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, activities or events held or sanctioned by Speedcars Australia;
- 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 Speedcars Australia and/or Speedway Australia 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 Speedcars Australia). Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.

The grounds of an appeal should be specific, for example they may be limited to a denial of procedural fairness, on grounds 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 1.1: MEMBER PROTECTION DECLARATION

Speedcars Australia has a duty of care to all those associated with our division 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
..... (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 Speedcars Australia may consider to constitute a risk to its members, employees, volunteers, competitors, or reputation by engaging me.
5. I will notify the President of Speedcars Australia 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

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.

Working with Children check requirements vary across Australia. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: www.playbytherules.net

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.ors.act.gov.au/community/working_with_vulnerable_people_wwvp

Phone: 02 6207 3000

New South Wales

Contact the Office of the Children’s Guardian

Website: www.kidsguardian.nsw.gov.au/check

Phone: 02 9286 7276

Northern Territory

Contact the Northern Territory Screening Authority

Website: www.workingwithchildren.nt.gov.au

Phone: 1800 SAFE NT (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.families.sa.gov.au/childsafes

Phone : 08 8463 6468.

National Police Check: www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check

DCSI Child Related Work Screening: <http://www.dcsi.sa.gov.au/services/screening>

Tasmania

Contact the Department of Justice

Website: www.justice.tas.gov.au/working_with_children

Phone: 1300 13 55 13

Victoria

Contact the Department of Justice

Website: www.workingwithchildren.vic.gov.au

Phone: 1300 652 879

Western Australia

Contact the Department for Child Protection

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.

<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<p><input type="checkbox"/> Harassment <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist</p> <p><input type="checkbox"/> Sexuality <input type="checkbox"/> Child Abuse <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"/> Victimization</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>	

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 Speedcars Australia 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 Secretary of Speedcars Australia so that he or she can manage the situation.

Step 3: Protect the child and manage the situation

- The Secretary of Speedcars Australia 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 Speedcars Australia.

- The Secretary of Speedcars Australia will consider what services may be most appropriate to support the child and his or her parent/s.
- The Secretary of Speedcars Australia will consider what support services may be appropriate for the alleged offender.
- The Secretary of Speedcars Australia 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 by Speedway Australia).
- The Secretary of Speedcars Australia 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, suspended, or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out by Speedway Australia.
- 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 Non-urgent police assistance Ph: 131 444 www.afp.gov.au	Office for Children, Youth and Family Services http://www.communityservices.act.gov.au/ocyfs/reporting-child-abuse-and-neglect Ph: 1300 556 729
New South Wales	
New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au	Department of Family and Community Services www.community.nsw.gov.au Ph: 132 111
Northern Territory	
Northern Territory Police Non-urgent police assistance Ph: 131 444 www.pfes.nt.gov.au	Department of Children and Families www.childrenandfamilies.nt.gov.au Ph: 1800 700 250
Queensland	
Queensland Police	Department of Communities, Child Safety and Disability Services

<p>Non-urgent police assistance Ph: 131 444 www.police.qld.gov.au</p>	<p>www.communities.qld.gov.au/childsafety Ph: 1800 811 810</p>
South Australia	
<p>South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au</p>	<p>Department for Education and Child Development www.families.sa.gov.au/childsafe Ph: 131 478</p>
Tasmania	
<p>Tasmania Police Non-urgent police assistance Ph: 131 444 www.police.tas.gov.au</p>	<p>Department of Health and Human Services www.dhhs.tas.gov.au/children Ph: 1300 737 639</p>
Victoria	
<p>Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 www.police.vic.gov.au</p>	<p>Department of Human Services www.dhs.vic.gov.au Ph: 131 278</p>
Western Australia	
<p>Western Australia Police Non-urgent police assistance Ph: 131 444 www.police.wa.gov.au</p>	<p>Department for Child Protection and Family Support www.dcp.wa.gov.au Ph: (08) 9222 2555 or 1800 622 258</p>

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	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent / Guardian <input type="checkbox"/> Competitor / Crew / Member (Owner) <input type="checkbox"/> Spectator <input type="checkbox"/> Official (eg steward, scrutineer) <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other	
Witnesses (if more than 3 witnesses, attach details to this form)	Name (1): Contact details: Name (2): Contact details: Name (3): Contact details:	
Interim action (if any) taken (to ensure child's safety and/or to support needs of person complained about)		
Police contacted	Who: When: Advice provided:	

Government agency contacted	Who: When: Advice provided:
President and/or MPIO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

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