



PONY CLUB
AUSTRALIA

PONY CLUB AUSTRALIA LTD
Member Protection Policy

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CONTENTS

1. Definitions	4
2. Who is bound by this MPP	5
3. Member State Responsibilities.....	6
4. Zone Responsibilities.....	7
5. Club Responsibilities	8
6. Individual Responsibilities.....	8
7. Policies.....	9
8. Codes of Conduct	9
9. What is a Breach of this MPP?	10
10. Complaints Procedures	10
11. Disciplinary Measures	11
APPENDIX A - POLICIES	13
1. ANTI-DISCRIMINATION AND HARASSMENT POLICY	13
2. SEXUAL RELATIONSHIPS POLICY.....	14
3. PREGNANCY POLICY.....	15
4. GENDER IDENTITY POLICY.....	16
5. SMOKE-FREE ENVIRONMENT POLICY	17
6. THE RESPONSIBLE SERVICE AND CONSUMPTION OF ALCOHOL POLICY.....	17
7. GAMBLING AND CORRUPTION POLICY.....	18
8. BULLYING POLICY	18
9. SOCIAL NETWORKING POLICY.....	18
APPENDIX B PONY CLUB AUSTRALIA CODE OF CONDUCT	20
B1 CODE OF CONDUCT FOR RIDERS OR QUIZ PARTICIPANTS	20
B2 CODE OF CONDUCT FOR PARENTS/GUARDIANS	21
B3 CODE OF CONDUCT FOR SPECTATORS	21
B4 CODE OF CONDUCT FOR OFFICIALS.....	22
B5 CODE OF CONDUCT FOR ADMINISTRATORS	22
B6 CODE OF CONDUCT FOR COACHES.....	23
APPENDIX C COMPLAINTS HANDLING PROCEDURES	24
APPENDIX D FORMS.....	34
D1 INTERNATIONAL RIDER, QUIZ PARTICIPANT, COACH OR MANAGER STATEMENT OF COMPLIANCE	34
D2. RECORD OF INFORMAL COMPLAINT	35
D3. RECORD OF FORMAL COMPLAINT	36

REVIEW HISTORY OF PONY CLUB AUSTRALIA LTD MEMBER PROTECTION POLICY

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1. Definitions

In this MPP, unless the contrary intention appears, the following words or phrases have the following meanings:

Club means a club that is a member of, or is affiliated with, a Member State.

Code of Conduct means the code of conduct contained in Appendix B.

Complaints Procedures means the complaints procedures contained in Appendix C.

Individual means a natural person as opposed to a legal person.

Member means a member of PCA under clause 5 of the PCA Constitution.

Member State has the same meaning as clause 5.3 of the PCA Constitution.

MPP means this Member Protection Policy as amended from time to time.

Organisation includes an incorporated or unincorporated association or a corporation.

Person means a natural person as opposed to a legal person.

PCA means Pony Club Australia Ltd.

Policy or **Policies** means the Policies contained in Appendix A of this MPP.

Pony Club:

- (a) means the Persons or Organisations, comprised of PCA, the Member States, the members, affiliates, appointees and personnel of Member States, and the Members, with the common aim or object of encouraging young people to enjoy all kinds of sport and pleasure connected with horses and riding, providing instruction in riding and horsemanship and instilling in young people a love of their horses, a sense of responsibility and acceptance of the responsibility for the proper care of their animals and promoting the highest ideals of sportsmanship, citizenship and loyalty, thereby cultivating strength of character and self-discipline; and
- (b) includes, without limitation, all Pony Club events or activities conducted by those Persons or Organisations.

Zone means a zone that is a member of, or is affiliated with, or is appointed by, a Member State.

2. Who is bound by this MPP

The following persons are bound by this MPP:

- 2.1 Persons appointed or elected to national or international boards, committees and sub-committees;
- 2.2 Employees of PCA;
- 2.3 Members of the PCA Board;
- 2.4 Support personnel appointed or elected to national or international teams and squads including, without limitation, managers, and coaches;
- 2.5 National or international rider or quiz representatives;
- 2.6 Judges, stewards and other officials involved in any national Pony Club event or activity;
- 2.7 Members of PCA;
- 2.8 Members of the Members of PCA;
- 2.9 Zones of the Members of PCA;
- 2.10 Riders, coaches, officials, judges, administrators and any other personnel participating in any Pony Club event or activity including, without limitation, camps and training sessions, held or sanctioned by PCA;
- 2.11 Any other person including parents, guardians, family members, friends, or spectators accompanying the national or international rider or quiz representatives or national or international team; and
- 2.12 Any person bound by this MPP against whom disciplinary action has been commenced, whether or not that person has, since the commencement of the disciplinary action, ceased to be bound by this MPP.

3. Member State Responsibilities

Member States must:

- 3.1 comply with this MPP;
- 3.2 adopt, implement, comply with, publish, distribute and promote a State version of this MPP;
- 3.3 ensure that the Zones adopt, implement and comply with a Zone version of this MPP;
- 3.4 ensure that the Clubs adopt, implement and comply with a Club version of this MPP;
- 3.5 ensure that this MPP is enforceable;
- 3.6 publish, distribute and promote this MPP and the consequences of any breaches of this MPP;
- 3.7 promote and model appropriate standards of behaviour at all times;
- 3.8 deal with any complaints made under this MPP in an appropriate manner;
- 3.9 deal with any breaches of this MPP in an appropriate manner;
- 3.10 recognise and enforce any penalty imposed under this MPP;
- 3.11 ensure that a copy of this MPP is available or accessible to all Persons and Organisations that are bound by this MPP;
- 3.12 ensure that qualified Member Protection Information Officers are appointed and their contact details are available to Members. MPIOs provide confidential, impartial and timely information and support to Members under this MPP;
- 3.13 have an appropriately trained person to receive and manage complaints and allegations of inappropriate behaviour; and
- 3.14 monitor and review the State version of this MPP at least annually.

4. Zone Responsibilities

Each Zone must:

- 4.1 comply with this MPP;
- 4.2 adopt, implement and comply with a Zone version of this MPP;
- 4.3 ensure that this MPP is enforceable;
- 4.4 publish, distribute and promote the Zone version of the MPP and the consequences of any breaches of that MPP;
- 4.5 promote and model appropriate standards of behaviour at all times;
- 4.6 deal with any complaints made under this MPP in an appropriate manner;
- 4.7 deal with any breaches of this MPP in an appropriate manner;
- 4.8 recognise and enforce any penalty imposed under this MPP;
- 4.9 ensure that a copy of this MPP is available or accessible to all Persons and Organisations who are bound by this MPP;
- 4.10 ensure that a qualified Member Protection Information Officer is appointed and their contact details are available to Members. At a minimum this person should complete the online MPIO training available from Play by the Rules.
<https://www.playbytherules.net.au/online-courses/mpio-online-course>

MPIOs provide confidential, impartial and timely information and support to Members under this MPP;
- 4.11 have an appropriately trained person to receive and manage complaints and allegations of inappropriate behaviour; and
- 4.12 monitor and review the Zone Version of this MPP at least annually.

5. Club Responsibilities

Each Club must:

- 5.1 comply with this MPP;
- 5.2 adopt, implement and comply with a Club version of this MPP;
- 5.3 ensure that this MPP is enforceable;
- 5.4 publish, distribute and promote the Club version of this MPP and the consequences of any breaches of that MPP;
- 5.5 promote and model appropriate standards of behaviour at all times;
- 5.6 deal with any complaints made under this MPP in an appropriate manner;
- 5.7 deal with any breaches of this MPP in an appropriate manner;
- 5.8 recognise and enforce any penalty imposed under this MPP;
- 5.9 ensure that a copy of this MPP is available or accessible to all Persons and Organisations who are bound by this MPP;
- 5.10 ensure that a Grievance Officer is appointed and their contact details are available to Club Members. The Grievance Officer should not be a club office holder and should be familiar with this policy and be able to maintain confidentiality and receive and manage complaints and allegations of inappropriate behaviour under this MPP;
- 5.11 monitor and review the Club Version of this MPP at least annually.

6. Individual Responsibilities

Persons bound by this MPP must:

- 6.1 make themselves aware of the contents of this MPP and the State, Zone and Club versions of this MPP;
- 6.2 comply with all relevant provisions of the above MPPs;
- 6.3 consent to the screening requirements set out in this MPP and any Federal, State or Territory laws relating to Working with Children Checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18 or where otherwise required by law;
- 6.4 place the safety and welfare of children above other considerations;
- 6.5 be accountable for their behaviour; and
- 6.6 comply with any decisions or disciplinary measures imposed under this MPP.

7. Policies

Persons or Organisations bound by this MPP must comply with the following Policies contained in Appendix A:

- 7.1 Anti-Discrimination and Harassment Policy;
- 7.2 Sexual Relationships Policy;
- 7.3 Pregnancy Policy;
- 7.4 Gender Identity Policy;
- 7.5 The Responsible Service and Consumption of Alcohol Policy;
- 7.6 Smoke-Free Environment Policy;
- 7.7 Gambling and Corruption Policy;
- 7.8 Bullying Policy; and
- 7.9 Social Networking Policy.

8. Codes of Conduct

Persons or Organisations bound by this MPP must comply with the following Codes of Conduct contained in Appendix B:

- 8.1 Code of Conduct for riders or quiz participants;
- 8.2 Code of Conduct for parents/guardians;
- 8.3 Code of Conduct for spectators;
- 8.4 Code of Conduct for officials;
- 8.5 Code of Conduct for administrators; and
- 8.6 Code of Conduct for coaches.

9. What is a Breach of this MPP?

It is a breach of this MPP for any Person or Organisation bound by this MPP to do anything contrary to this MPP including, without limitation, the following:

- 9.1 Breaching the Codes of Conduct;
- 9.2 Bringing the sport or PCA into disrepute or behaving in a manner likely to bring the sport or PCA into disrepute;
- 9.3 Failing to comply with this MPP including, without limitation, the Policies;
- 9.4 Discriminating against, harassing or bullying (including cyber bullying) any Person;
- 9.5 Victimising another Person for reporting a complaint;
- 9.6 Engaging in a sexually inappropriate relationship with a Person that they supervise, or have influence, authority or power over;
- 9.7 Verbally or physically assaulting another Person, intimidating another Person or creating a hostile environment within the sport;
- 9.8 Disclosing to any unauthorized Person or Organisation any PCA information that is of a private, confidential or privileged nature;
- 9.9 Making a complaint they knew to be untrue, vexatious, malicious or improper;
- 9.10 Failing to comply with a penalty imposed after a finding that the Person or Organisation has breached this policy; or
- 9.11 Failing to comply with a direction given to the Person or Organisation during the discipline process.

10. Complaints Procedures

Persons or Organisations bound by this MPP must comply with the Complaints Procedures contained in Appendix C.

11. Disciplinary Measures

A Tribunal or the PCA Board may impose disciplinary measures on a Person or Organisation for a breach of this policy. Any disciplinary measure imposed will be:

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

11.1 Individuals

Subject to contractual and employment requirements, if a finding is made by a Tribunal or the PCA Board that a Person bound by this MPP has breached this MPP, one or more of the following forms of discipline may be imposed:

- A direction that the Person make a verbal and/or written apology;
- A written warning;
- A direction that the Person attend counselling to address their behaviour;
- A withdrawal of any awards, placing, records, and achievements bestowed in any competitions, activities or events held or sanctioned by PCA;
- A suspension of the Person's membership or participation or engagement in a role or activity;
- Termination of the Person's membership, appointment or engagement;
- A recommendation that PCA terminate the Person's membership, appointment or engagement;
- In the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- a fine;
- any other form of discipline that is considered to be appropriate.

11.2 Organisations

If a finding is made that an Organisation bound by this MPP has breached its version of this MPP or this MPP, one or more of the following forms of discipline maybe imposed:

- A written warning;
- A fine;

- A direction that any rights, privileges and benefits provided to that Organisation by PCA be suspended for a specified period;
- A direction that any funding granted or given to it by PCA cease from a specified date;
- PCA will cease to sanction events held by or under the auspices of that Organisation;
- In the case of a Club, a recommendation to the Member State that its membership of the Member State be suspended or terminated in accordance with the relevant constitution or rules; and/or
- Any other form of discipline that PCA considers to be reasonable and appropriate.

11.3 Factors to consider

Due regard must be had to the following factors when determining the form of discipline to be imposed on a Person or Organisation for a breach of this MPP:

- the nature and seriousness of the breach;
- if the Person or Organisation knew or should have known that the behaviour was a breach of the policy;
- the Person's or Organisation's level of contrition;
- the effect of the proposed disciplinary measures on the Person or Organisation including any personal, professional or financial consequences;
- if there have been relevant prior warnings or disciplinary action;
- the ability to enforce disciplinary measures if the Person is a parent or spectator (even if they are bound by the policy);
- any other mitigating circumstances.

APPENDIX A - POLICIES

1. ANTI-DISCRIMINATION AND HARASSMENT POLICY

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

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

1.1 Discrimination

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

Further information as to what amounts to unlawful discrimination can be found at:

<https://www.humanrights.gov.au/complaint-information>

and the Human Rights Commission in each state.

1.2 Harassment

Harassment is the offensive treatment of one person by others or another through vindictive, cruel, bullying, malicious or humiliating behaviour. Harassment is often an abuse of power or position, and it can cause stress, anxiety, loss of self belief, physical ill-health and mental distress.

Whilst not all forms of harassment are illegal, all forms are undesirable in a club and can not only do damage to members and the club's reputation, but may also lead to legal claims against the club.

Further information as to what amounts to harassment can be found at:

<https://www.humanrights.gov.au/quick-guide/12040>

Any Person who believes they are being, or have been, harassed or discriminated against by another Person or Organisation bound by this MPP is encouraged to raise their concerns with us. A Person may make an internal complaint, and in some circumstances, they may also be able to make a complaint to an external organisation.

This on-line course is recommended to understand Discrimination and Harassment.

<https://www.playbytherules.net.au/online-courses/harassment-and-discrimination-online-course>

2. SEXUAL RELATIONSHIPS POLICY

PCA understands that consensual intimate relationships (including, but not limited to sexual relationships) between adult coaches or officials and adult athletes may take place legally. However, this policy will help ensure that the expectations of coaches or officials are clear and, to ensure that if an intimate relationship does exist or develop between an adult coach or official and an adult athlete, that relationship will be managed in an appropriate manner.

Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. In particular, they must ensure that they treat athletes in a respectful and fair manner, and that they do not engage in sexual harassment, bullying, favouritism or exploitation.

PCA take the position that consensual intimate relationships between adult coaches or officials and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach or official and the athlete.

We recommend that if an athlete attempts to initiate an intimate relationship with a coach or official, the coach or official should discourage the athlete's approach and explain to the athlete why such a relationship is not appropriate.

If a consensual intimate relationship does exist or develop between an adult athlete and a coach or official, the coach or official is expected to ensure that the relationship is appropriate and that it does not compromise impartiality, professional standards or the relationship of trust the coach or official has with the athlete and/or other athletes.

In assessing the appropriateness of an intimate relationship between a coach or official and an adult athlete, relevant factors include, but are not limited to:

- the relative age and social maturity of the athlete;
- any potential vulnerability of the athlete;
- any financial and/or emotional dependence of the athlete on the coach or official;
- the ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career;
- the extent of power imbalance between the athlete and coach or official; and
- the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.

It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of its appropriateness and accordingly they are encouraged to seek advice from the Member Protection Information Officer or other official to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

If it is determined that an intimate relationship between a coach or official and an adult athlete is inappropriate or unprofessional we may take disciplinary action against the coach or official up to and including dismissal. Action may also be taken to stop the coaching relationship with the athlete. This could include a transfer, a request for resignation or dismissal from coaching duties.

If a coach, official or athlete believes they are being, or have been, harassed they are encouraged to seek information and support from the Member Protection Information Officer. Our Complaints Procedure is contained in Appendix C of this MPP.

3. PREGNANCY POLICY

PCA is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our sport. We will not tolerate any discrimination or harassment against pregnant women.

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

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with PCA.

We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person or organisation bound by this Policy, she may make a complaint. Our Complaints Procedure is contained in Appendix C of this MPP.

4. GENDER IDENTITY POLICY

Gender identity means the gender related identity, appearance or mannerisms or other gender related characteristics of a Person. This includes the way people express or present their gender and recognises that a Person's gender identity may be an identity other than male or female. Some terms used to describe a Person's gender identity include trans, transgender and gender diverse.

4.1 Gender identity or intersex status discrimination and harassment

Federal, State and Territory anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity or intersex status.

PCA is committed to providing a safe, fair and inclusive sporting environment all where people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity or intersex status.

We expect all Persons and Organisations bound by this MPP to act with sensitivity when a Person is undergoing gender transition/affirmation. If any Person believes that they are being, or have been, harassed or discriminated against by another Person or Organisation bound by this MPP because of their gender identity or intersex status, they may make a complaint. Our Complaints Procedure is contained in Appendix C of this MPP.

4.2 Participation in sport

PCA recognises that excluding people from participating in sporting events and activities because of their gender identity or intersex status may have significant implications for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport on the basis of the gender with which a Person identifies.

If issues of performance advantage arise, we will consider whether the established discrimination exceptions for participation in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.

Drug testing procedures and prohibitions also apply to people who identify as transgender or of intersex status. A Person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption.

5. SMOKE-FREE ENVIRONMENT POLICY

PCA is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse.

In general, our policy is that:

- no smoking shall occur at or near sporting events involving children and young people under the age of 18. This policy shall apply to coaches, players, trainers, officials and volunteers;
- social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas; and
- coaches, officials, trainers, volunteers and players will refrain from smoking while they are involved in an official capacity in our sport, both on and off the field.

6. THE RESPONSIBLE SERVICE AND CONSUMPTION OF ALCOHOL POLICY

PCA is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that Member States, Zones, Clubs, and their Members follow strict guidelines regarding the service and consumption of alcohol.

In general, our policy is that:

- alcohol should not be available or consumed at sporting events involving children and young people under the age of 18;
- alcohol-free social events be provided for young people and families;
- food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
- a staff member is present at events we hold or endorse where alcohol is served to ensure appropriate practices in respect of the consumption of alcohol are followed;
- safe transport options be promoted as part of any event we hold or endorse where alcohol is served.

7. GAMBLING AND CORRUPTION POLICY

PCA recognises that gambling is a legal activity for adults, however acknowledges that;

- betting on the outcome of a competition gives rise to the risk of corruption
- Pony Club has a large number of junior participants for whom gambling is illegal
- problem gambling is an area of community concern and sports betting is frequently the introduction to gambling for young people

In general, our policy is that:

- gambling on any Pony Club activity is prohibited and no Person should place a bet or wager on any Pony Club competition.
- no Person should fix or attempt to fix, or contrive or attempt to contrive the result of any event
- no Person should fail to perform to the best of his/her abilities in an event
- Raffles are an important community fundraising activity for Pony Club and operations are subject to the relevant state Gaming Act or equivalent. All Persons will ensure that appropriate licenses are obtained for all fundraising activities.

8. BULLYING POLICY

PCA 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 a Person's health and wellbeing and we regard bullying in all forms as unacceptable in our sport.

Further information as to what amounts to bullying can be found at:

<https://www.playbytherules.net.au/got-an-issue/bullying>

If any Person believes they are being, or have been, bullied by another Person or Organisation bound by this MPP, he or she may make a complaint. Our Complaints Procedures can be found in Appendix C of this MPP.

9. SOCIAL NETWORKING POLICY

PCA acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet.

We expect all Persons or Organisations bound by this MPP to conduct themselves appropriately when using social networking sites to share information related to our sport.

In particular, social media activity by Member States, Zones, Clubs or Members:

- must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate;
- must not contain material which is inaccurate, misleading or fraudulent;
- must not contain material which is in breach of laws, court orders, undertakings or contracts;
- should respect and maintain the privacy of others;
- should promote the sport in a positive way; and
- must not be a breach of this MPP.

APPENDIX B - PONY CLUB AUSTRALIA CODE OF CONDUCT

The aims and objectives of Pony Club are:

- Encouraging young people to enjoy all kinds of sport and pleasure connected with horses and riding.
- Providing instruction in riding and horsemanship and instilling in young people a love of their horses, a sense of responsibility and acceptance of the responsibility for the proper care of their animals.
- Promoting the highest ideals of sportsmanship, citizenship and loyalty, thereby cultivating strength of character and self-discipline.

Knowledge and compliance with this Code of Conduct is a requirement of all members and spectators of Pony Club. This code of conduct is based on “Play by the Rules” developed by the Australian Sports Commission.

B1 CODE OF CONDUCT FOR RIDERS OR QUIZ PARTICIPANTS

- Ride by the rules.
- Never argue with an official. If you disagree, have your coach or team manager approach the official during a break or after the competition.
- Control your temper. Verbal abuse of officials, sledging other riders or deliberately distracting or provoking an opponent are not acceptable or permitted behaviours in any sport.
- Work equally hard for yourself and/or your team. Your team’s performance will benefit and so will you.
- Be a good sport. Applaud all good performances whether they are made by your team or the opposition.
- Treat all participants in Pony Club as you like to be treated. Do not bully or take unfair advantage of another competitor.
- Cooperate with your coach, team-mates and opponents. Without them, there would be no competition.
- Participate for your own enjoyment and benefit, not just to please your parents and coaches.
- Respect the rights, dignity and worth of all participants regardless of their gender, ability, cultural background or religion.
- Take care of your horse and his/her needs and welfare. Recognise and be grateful for your horse’s effort and performance.

B2 CODE OF CONDUCT FOR PARENTS/GUARDIANS

- Remember that children participate in Pony Club for their enjoyment, not yours.
- Encourage children to participate, do not force them.
- Focus on your child's efforts and performance rather than whether they win or lose.
- Encourage children to ride according to the rules and to settle disagreements without resorting to abuse or hostility.
- Never ridicule or yell at a child for making a mistake or losing a competition.
- Remember that children learn best by example. Appreciate good performance and skillful riding by all participants.
- Support all efforts to remove verbal and physical abuse from Pony Club activities.
- Respect officials' decisions and teach children to do likewise.
- Show appreciation for volunteer coaches, officials and administrators. Without them, your child could not participate in Pony Club.
- Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

B3 CODE OF CONDUCT FOR SPECTATORS

- Respect the decisions of officials and teach young people to do the same.
- Never ridicule or scold a young rider for making a mistake. Positive comments are motivational.
- Condemn the use of violence in any form, whether it is by other spectators, coaches, officials or riders.
- Show respect for your rider's fellow competitors. Without them there would be no competition.
- Do not use violence, harassment or abuse in any form (that is, do not use foul language, sledge or harass riders, coaches, officials or other spectators)
- Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

B4 CODE OF CONDUCT FOR OFFICIALS

- Ensure that rules and regulations match the skill levels and needs of young people.
- Compliment and encourage all riders.
- Be consistent, objective and courteous when making decisions. Condemn unsporting behaviour and promote respect for all opponents.
- Emphasise the spirit of the event rather than the errors.
- Keep up to date with the latest trends in officiating and the principles of growth and development of young people.
- Be a good sport yourself. Remember, you set an example. Your behaviour and comments should be positive and supportive.
- Place the safety and welfare of the riders above all else.
- Give all young people a 'fair go' regardless of their gender, ability, cultural background or religion.

B5 CODE OF CONDUCT FOR ADMINISTRATORS

- Involve young people in planning, leadership, evaluation and decision-making related to Pony Club.
- Give all young people equal opportunities to participate.
- Create pathways for young people to participate in sport, not just as a player but as a coach, official, administrator, etc.
- Ensure that rules, disciplines, games and training schedules are modified to suit the age, ability and maturity level of young riders.
- Provide quality supervision and instruction for junior riders.
- Remember that young people participate for their enjoyment and benefit.
- Help coaches and officials highlight appropriate behaviour and skill development, and help improve the standards of coaching and officiating.
- Ensure that everyone involved in junior sport emphasises fair play, rather than winning at all costs. Do not overemphasise awards.
- Give a code of behaviour sheet to spectators, officials, parents, coaches, players and the media, and encourage them to follow it.
- Remember, you set an example. Your behaviour and comments should be positive and supportive.
- Understand and implement all Pony Club policies including Child Safe Policy and Member Protection Policy, and the ASC National Junior Sport Policy.
- Make it clear that abusing young people in any way is unacceptable and will result in disciplinary action. Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

B6 CODE OF CONDUCT FOR COACHES

The coach's code of conduct is a positive document for all coaches. It affirms a coach's support for the concepts of responsibility, trust, competence, respect, safety, honesty, professionalism, equity and sportsmanship. The code also provides a reference point for clubs, parents, athletes, schools and employers to expect that a coach will demonstrate appropriate standards of behaviour.

Safety and Health of Participants

- Place the safety and welfare of the participants above all else.
- Be aware of and support the sport's injury management plans and return to ride guidelines.

Coaching excellence

- Help each person to reach their potential
- Respect the talent, developmental stage and goals of each person and encourage them with positive and constructive feedback.
- Encourage and support opportunities for people to learn appropriate behaviours and skills.
- Support opportunities for participation in all aspects of the sport.
- Treat each participant as an individual.
- Obtain appropriate qualifications and keep up-to-date with the latest coaching practices and the principles of growth and development of participants.

Honour the sport

- Act within the rules and spirit of your sport.
- Promote fair play over winning at any cost.
- Respect the decisions of officials, coaches and administrators.
- Show respect and courtesy to all involved with the sport.
- Display responsible behaviour in relation to alcohol and other drugs.

Integrity

- Act with integrity and objectivity and accept responsibility for your decisions and actions.
- Ensure your decisions and actions contribute to a harassment-free environment
- Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance exists) with people under the age of 18.
- Ensure that any physical contact with another person is appropriate to the situation and necessary for the person's skill development.
- Be honest and do not allow your qualifications or coaching experience to be misrepresented.
- Never advocate or condone the use of illicit drugs or other banned performance enhancing substances or methods.
- Never participate in or advocate practices that involve competition fixing.

Respect

- Respect the rights and worth of every person, regardless of their age, race, gender, ability, cultural background, sexuality or religion.
- Do not tolerate abusive, bullying or threatening behaviour.

APPENDIX C - COMPLAINTS HANDLING PROCEDURES

PCA will deal with all complaints in a fair, timely and transparent manner. All complaints will be treated seriously.

PCA will provide Persons with an informal and formal process to resolve the matter, along with access to an external complaint handling body, based on the nature of the complaint and our rules and regulations.

PCA also provide an appeals process for those matters.

C1. Confidentiality

PCA will maintain confidentiality where possible and as provided in this MPP. We will endeavour to deal with complaints on a confidential basis. We will not provide information about the complaint to another Person without the complainant's consent, except if the law requires us disclose this information or it is necessary to properly deal with the complaint. To ensure fairness for everyone involved, we will provide the full details of the complaint to the Person or people against whom the complaint has been made and ask for their response. As a result, it may be difficult for us to resolve complaints made anonymously.

C2. Improper Complaints or Victimisation

PCA aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against any Person making a complaint.

We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures may be undertaken in respect of a Person who harasses or victimises another Person for making a complaint or supporting another Person's complaint.

If at any point in the complaint handling process the Member Protection Information Officer or Complaints Manager considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or inappropriately intended to cause distress to the respondent, the matter may be referred in writing to the Zone, Member State or PCA for review and appropriate action, including possible disciplinary action against the complainant.

C3. Complaints to external agencies

Persons and Organisations bound by this MPP may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

C4. PCA's jurisdiction to deal with a complaint

PCA has the jurisdiction to deal with complaints in relation to Persons or Organisations bound by this MPP:

- (a) that relate to, or which occurred at, the national or international level;
- (b) that are referred to PCA by a Member State;
- (c) where a Member State is a party to a dispute and is therefore, under the rules of natural justice or procedural fairness, unable to determine the outcome of the dispute; or
- (d) that involve a breach of this MPP.

C5. Informal Complaints Procedures

Before making a formal complaint, PCA recommends that an attempt be made by the parties to resolve the complaint by using their best endeavours to apply the following steps:

Step 1: Talk with the other person (if safe, reasonable and appropriate)

If you feel confident and comfortable to do so, you can approach the other Person to discuss the issues and try and resolve the problem directly.

Step 2: Contact a Member Protection Information Officer

We encourage you to talk with one of our Member Protection Information Officers (MPIOs) if:

- step 1 (above) is not appropriate;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially with someone and find out what options are available to address your concern; or
- the concern continues after you approached the other person.

The names and contact details for our MPIOs are available from Club, Zone and Member States.

The MPIO will:

- ask how you would like your concern to be resolved and if you need support
- seek to provide different options for you to address your concern
- act as a support person, if you wish
- refer you to an appropriate person (e.g. a mediator) to help you address your concern, if appropriate
- inform the relevant government authorities and/or police, if required by law to do so
- where possible and appropriate, maintain confidentiality.

The MPIO may, if the MPIO considers it appropriate, record the informal complaint using the “D3 Record of Informal Complaint” form contained in Appendix D.

Step 3: Decide how to address your concern

After talking with the MPIO, you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;

- to try and resolve the problem yourself, with or without a support Person;
- to resolve the problem with the help of someone impartial, such as a mediator; or
- to resolve the matter through a formal process.

C6. Formal Complaints Procedures

A Form for recording Formal Complaints is contained in Annexure D. Should a formal complaint be made to PCA, the following dispute resolution procedures may be adopted to resolve the complaint:

(a) Mediation

PCA aims to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the Member Protection Information Officer or Club Official will, in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to participate in the mediation process.

More information on the mediation process is outlined in clause C7 below.

(b) Investigation

In some cases, an investigation may be required to determine the facts surrounding the complaint. Our investigations procedure is outlined in clause C8 below.

(c) Tribunals

A Tribunal may be convened to hear a proceeding that is within the jurisdiction of PCA.

Our Tribunal procedure is outlined in clause C9 below.

A respondent may lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in clause C9.

Every Person or Organisation bound by this MPP will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this MPP.

C7. MEDIATION

Mediation is a process that seeks to resolve complaints with the assistance of an impartial Person – the mediator.

The mediator does not decide who is right or wrong and does not tell either side what they must do. Instead, he or she helps those involved to discuss the issues and seeks to facilitate a mutually agreeable solution.

Our approach to mediation follows the steps set out below.

1. PCA will appoint an appropriate mediator to help resolve the complaint. This will be done in consultation with the complainant and the respondent(s). The mediator will be an independent Person in the context of the complaint, however this does not preclude a person with an association with PCA acting as mediator.
2. The mediator will talk with the complainant and respondent(s) about how the mediation will take place and who will participate. At a minimum, the mediator will prepare an agenda of issues to be discussed.
3. All issues raised during mediation will be treated confidentially. We also respect the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
4. If the complaint is resolved by mediation, where appropriate, the mediator may seek to ensure the parties execute a document that sets out the agreement that has been reached. This agreement will be signed by the complainant and the respondent(s). We expect the parties involved to respect and comply with the terms of the agreement.

We recognise that there are some situations where mediation may not be appropriate, including:

- when the people involved have completely different versions of the incident;
- when one or both parties are unwilling to attempt mediation;
- when there is a real or perceived power imbalance between the people involved; or
- matters that involve serious allegations.

C8. INVESTIGATION PROCESS

There will be times when a complaint will need to be investigated and information gathered.

An investigation helps determine the facts relating to the incident, if requested, recommendations as to possible findings and next steps.

The rules of natural justice or procedural fairness apply to an investigation. Any investigation we conduct will be fair to all people involved. The investigation process will be undertaken by an unbiased Person.

If we decide that a complaint should be investigated, we will follow the steps outlined below.

We will provide a written brief to the investigator that sets out the terms of engagement and his or her roles and responsibilities.

The investigator may:

- interview the complainant and record the interview in writing;
- provide full details of the complaint to the respondent(s) so that they can respond
- interview the respondent(s) to allow them to answer the complaint and record the interview in writing;
- obtain statements from witnesses and collect other relevant evidence;
- make a finding as to whether the complaint is:
 - **substantiated** (there is sufficient evidence to support the complaint)
 - **inconclusive** (there is insufficient evidence either way);
 - **unsubstantiated** (there is sufficient evidence to show that the complaint is unfounded);
 - **mischievous, vexatious or knowingly untrue.**
- provide a report to the relevant Club, Zone or Member State documenting the complaint, the investigation process, the evidence,) and, if requested, any findings and recommendations.

We will provide a report to the complainant and the respondent(s) documenting the complaint, the investigation process and summarising key points from the investigation.

The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person or adviser (e.g. MPIO or person of their choice).

C9. TRIBUNAL PROCEDURES

We will follow the steps set out below to hear formal complaints made under our MPP.

Preparing for a Tribunal hearing

1. A Tribunal panel will be established, according to the rules set out in our constituent documents, rules and by-laws, to hear a complaint that comes within the jurisdiction of PCA.
2. The number of Tribunal panel members required to be present throughout the hearing will be three.
3. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the PCA CEO (or equivalent) relating to the complaint/allegations.
4. The Tribunal hearing will be held as soon as practicable. However, adequate time must be provided for the respondent(s) to prepare for the hearing.
5. The PCA CEO (or equivalent) will inform the respondent(s) in writing that a Tribunal hearing will take place. The notice will outline:
 - that the person has a right to appear at the Tribunal hearing to defend the complaint/allegations;
 - the details of the complaint and of all allegations, as well as the provision or clause of any policy, rule or regulation that has allegedly been breached;
 - the date, time and venue of the Tribunal hearing;
 - that verbal and/or written submissions can be presented at the Tribunal hearing;
 - that witnesses may attend the Tribunal hearing to support the position of the respondent/s;
 - an outline of any possible sanctions that may be imposed if the complaint is found to be true;
 - That legal representation will not be allowed. The respondent may be assisted by a support Person at a Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However a Person cannot be a support Person if he or she has been admitted to the practise as a lawyer or worked as a trainee lawyer. A copy of any investigation report findings will be provided to the respondent(s).
6. The PCA CEO (or equivalent) will notify the complainant in writing that a Tribunal hearing will take place. The notice will outline:
 - that the Person has a right to appear at the Tribunal hearing to support their complaint;

- the details of the complaint, including any relevant rules or regulations the respondent is accused of breaching;
- the date, time and venue of the Tribunal hearing;
- that verbal and/or written submissions can be presented at the Tribunal hearing;
- that witnesses may attend the Tribunal hearing to support the complainant's position;
- that legal representation will not be allowed. The respondent may be assisted by a support Person at a Tribunal hearing. For example, where the respondent is a minor, he or she should have a parent or guardian present. However, a person cannot be a support person if he or she has been admitted to practice as a lawyer or worked as a trainee lawyer.

A copy of the investigation report findings will be provided to the complainant.

7. If the complainant believes the details of the complaint are incorrect or insufficient, he or she should inform the PCA CEO (or equivalent) as soon as possible so that the respondent(s) and members of the Tribunal panel can be properly informed of the complaint.
8. If possible, the Tribunal panel should include at least one person with knowledge or experience of the relevant laws/rules (e.g. anti-discrimination).
9. Independent Tribunal members are available through the Australia and New Zealand Sports Law Association. <https://www.anzsla.com/anzsla-directory>

Tribunal hearing procedure

10. The following people will be allowed to attend the Tribunal hearing:
 - Tribunal panel members;
 - the respondent(s);
 - the complainant;
 - any witnesses called by the respondent(s);
 - any witnesses called by the complainant;
 - any parent/guardian or support Person required to support the respondent or the complainant.
11. If the respondent(s) is not present at the set hearing time and the Tribunal chairperson considers that no valid reason has been presented for this absence, the Tribunal hearing will continue subject to the chairperson being satisfied that all Tribunal notification requirements have been met.
12. If the Tribunal chairperson considers that there is a valid reason for the non-attendance of the respondent(s), or the chairperson does not believe the Tribunal notification requirements have been met, then the Tribunal hearing will be rescheduled to a later date.

13. If the Tribunal chairperson wishes to reschedule the Tribunal hearing date, the Tribunal chairperson will inform the PCA CEO (or equivalent) of the need to reschedule the hearing and PCA CEO (or equivalent) will arrange for the Tribunal to be reconvened.
14. The Tribunal chairperson will read out the complaint, ask each respondent if he or she understands the complaint and if he or she agrees or disagrees with the complaint.
15. If the respondent agrees with the complaint, he or she will be asked to provide any evidence or witnesses that should be considered by the Tribunal when determining any sanctions.
16. If the respondent disagrees with the complaint, the complainant will be asked to describe the circumstances that lead to the complaint being made.
 - Reference may be made to brief notes.
 - The complainant may call witnesses.
 - The respondent may question the complainant and any witnesses.
17. The respondent will then be asked to respond to the complaint.
 - Reference may be made to brief notes.
 - The respondent may call witnesses.
 - The complainant may ask questions of the respondent and any witnesses.
18. The complainant and respondent(s) may be present when evidence is presented to the Tribunal hearing. Witnesses may be asked to wait outside the hearing until they are required.
19. The Tribunal may:
 - consider any evidence, and in any form, that it deems relevant;
 - ask questions of any Person giving evidence;
 - limit the number of witnesses (including limiting witnesses to those persons who only provide new evidence);
 - require (to the extent it has power to do so) the attendance of any witness it deems relevant; and
 - act in an inquisitorial manner in order to establish the truth of the issue/complaint before it.
20. Video evidence, if available, may be presented. Arrangements for the viewing of this evidence must be made entirely by the Person(s) wishing to offer this type of evidence.
21. If the Tribunal panel considers that at any time during the hearing there is any unreasonable or intimidatory behaviour from anyone, the Tribunal chairperson may deny further involvement of that Person in the hearing.

22. After all the evidence has been presented, the Tribunal will make its decision in private. The Tribunal must decide whether the complaint has, on the balance of probabilities, been substantiated.
23. All Tribunal decisions will be by majority vote.
24. The Tribunal chairperson may announce the decision of the Tribunal at the conclusion of the hearing. Alternatively, he or she may reserve the decision of the Tribunal at the conclusion of the hearing and deliver the decision at a later time.
25. The respondent(s) will have the opportunity to make submissions to the Tribunal in relation to any sanctions that may be imposed.
26. Within 48 hours of the Tribunal delivering its decision, the Tribunal chairperson will:
 - forward a notice of the Tribunal's decision to the PCA CEO (or equivalent), including details of any sanction imposed.
 - forward a letter reconfirming the Tribunal's decision to the respondent(s), including any sanction imposed. The letter should also outline the process and grounds for an appeal, if allowed.
27. The Tribunal does not need to provide written reasons for its decision.

Appeals procedure

28. A complainant or a respondent(s) may lodge with PCA an appeal in relation to the decision of a Tribunal on one or more of the following grounds:
 - 28.1 that a denial of procedural fairness has occurred;
 - 28.2 that the sanction imposed is unjust and/or unreasonable;
 - 28.3 that the decision was not supported by the information/evidence provided at the mediation or to the Tribunal Hearing;
29. A Person wanting to appeal must lodge a letter setting out the basis for their appeal with the PCA CEO (or equivalent) within 14 days of the decision being made. An appeal fee of \$50 shall be included with the letter of intention to appeal.
30. If the letter of appeal is not received by the PCA CEO (or equivalent) within this time, the right of appeal will lapse. If the letter of appeal is received but the appeal fee is not received within this time, the appeal will also lapse.
31. The letter of appeal and the notice of the Tribunal's decision (clause 24) will be forwarded to the PCA Chair to review and to decide whether there are sufficient grounds for the appeal to proceed. The PCA Chair may invite any witnesses to the meeting that he or she believes are required to make an informed decision.
32. If the appellant has not shown sufficient grounds for an appeal in accordance with clause 26, then the appeal will be rejected. The appellant will be notified in writing, including the reasons for the decision. The appeal fee will be forfeited.



PONY CLUB AUSTRALIA

Member Protection Policy

33. If the appeal is accepted, an Appeal Tribunal with new panel members will be convened to rehear the complaint, and the appeal fee will be refunded.
34. The Tribunal hearing procedure shall be followed for the Appeal Tribunal.
35. The decision of the Appeal Tribunal will be final and binding.



APPENDIX D – FORMS

D1 INTERNATIONAL RIDER, QUIZ PARTICIPANT, COACH OR MANAGER STATEMENT OF COMPLIANCE

This document is to be read and signed by every rider, quiz participant, coach and manager selected to represent PCA in or at an International Event.

Please sign this document and return to the PCA National Office.

I, (print name), as a representative, of PCA at an International event, acknowledge that I have read and understand the PCA Code of Conduct and undertake to comply with the requirements contained in that document.

Signed: Date:

SIGNATURE OF RIDER

Name of Parent or Guardian

Signed: Date:.....

SIGNATURE OF PARENT/GUARDIAN (if rider is under 18)

Any Member representing the PCA having been found not to have upheld the 'Aims and Objectives' of Pony Club or to have been in breach of the PCA 'Code of Conduct', will NOT be considered for selection in future International/National Events and maybe subject to disciplinary action under the PCA MPP.

D2. RECORD OF INFORMAL COMPLAINT

Name of person receiving complaint		Date: / /
Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
When/where did the incident take place?		
What are the facts relating to the incident, as stated by complainant?		
What is the nature of the complaint? (category/basis/grounds) Tick more than one box if necessary	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other	
What does the complainant want to happen to resolve the issue?		
What other information has the complainant provided?		
What is the complainant going to do now?		

This record and any notes must be kept confidential and secure. If the issue becomes a formal complaint, this record is to be given to the PCA CEO.

D3. RECORD OF FORMAL COMPLAINT

Complainant's Name	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received: / /
Complainant's contact details	Phone: Email:	
Complainant's role/position	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Name of person complained about (respondent)	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Respondent's role/position	<input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent <input type="checkbox"/> Athlete/player <input type="checkbox"/> Spectator <input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel <input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other <input type="checkbox"/> Official	
Location/event of alleged incident		
Description of alleged incident		
Nature of complaint (category/basis/grounds) Tick more than one box if necessary	<input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods <input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse <input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse <input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other	
Methods (if any) of attempted informal resolution		

Formal resolution procedures followed (outline)	
If investigated:	Finding
If heard by Tribunal:	Decision Action recommended
If mediated:	Date of mediation: Both/all parties present Agreement Any other action taken
If decision was appealed	Decision Action recommended
Resolution	<input type="checkbox"/> Less than 3 months to resolve <input type="checkbox"/> Between 3 – 8 months to resolve <input type="checkbox"/> More than 8 months to resolve
Completed by	Name: Position: Signature: Date / /
Signed by:	Complainant: Respondent:

This record and any notes must be kept confidential and secure. If the complaint is of a serious nature, or if it is taken to and/or dealt with at the national level, the original record must be provided to PCA and a copy kept with the Organisation where the complaint was first made.