

# MODEL AERONAUTICAL ASSOCIATION OF AUSTRALIA



## MEMBER PROTECTION POLICY

**MOP041**

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**REVIEW HISTORY OF MAAA MEMBER PROTECTION POLICY**

<i>Version</i>	<i>Date reviewed</i>	<i>Date endorsed</i>	<i>Content reviewed/purpose</i>
One	Created 08/11/2009	08/11/2009	
Two	14/12/2011	14/12/2011	<ul style="list-style-type: none"> <li>• Add clause 9.1.6: Images of children</li> <li>• Amend clause 9.2.3 to include communication technologies</li> </ul>
Three	16/01/2015	25/01/2015	<ul style="list-style-type: none"> <li>• Add clause 9.4: Social Networking Policy</li> </ul>
Four	12/10/2016	12/10/2016	<ul style="list-style-type: none"> <li>• Add clause 9.5: Bullying Policy</li> </ul>

This Policy and/or Procedure forms part of the MAAA Manual of Procedures. This entire document is for the use of all classes of members of the MAAA in the conduct of activities associated with the MAAA and is not be used for any other purpose, in whole or in part, without the written approval of the MAAA Executive.

## **MEMBER PROTECTION POLICY**

### **1. INTRODUCTION**

The Model Aeronautical Association of Australia Inc. is committed to providing its members a safe environment in which to pursue the sport of Model Aviation. Throughout its Manual of Procedures, the MAAA seeks to take a proactive and preventative approach to maintaining the safety, health and well being of all its members. Model flying is conducted in accordance with the Safe Flying Code and accidents and incidents are investigated so as to minimise their recurrence. Similarly, through its Member Protection Policy, the MAAA seeks to protect the safety of children, and to ensure a climate of respectful and positive behaviour, free from harassment and abuse. In addition, this policy contains a code of conduct which requires that all people participating in the activities of the MAAA must comply with strong ethical principles. The Member Protection Policy is an essential part of the MAAA's approach to tackling inappropriate behaviour. It is the responsibility of everyone in the MAAA; the Executive, Ordinary Members, Clubs, Affiliate and all other classes of members to ensure that their activities conform to this policy.

### **2. PURPOSE**

- 2.1 This Member Protection Policy aims to secure the good reputation of the MAAA by ensuring the maintenance of responsible behaviours and positive attitudes. It records the MAAA's commitment to a person's right to be treated with respect and dignity, to be safe and to be protected from discrimination or abuse.
- 2.2 This document also ensures that everyone involved in our activities is aware of their legal and ethical rights and responsibilities with regard to the various policies which are contained within MOP041.
- 2.3 This policy's attachments and references provide the procedures that support the MAAA's commitment to eliminating discrimination, harassment, abuse and other forms of inappropriate behaviour from our organisation. As part of this commitment, the MAAA will take disciplinary action against any person or organisation bound by this policy if they breach it.
- 2.4 This policy covers the care and protection of children participating in MAAA activities and provides information and direction for officials and other members of clubs with junior members.
- 2.5 This policy and/or its attachments may be amended from time to time. Copies of the current policy and its attachments can be obtained from the Manual of Procedures on the MAAA website.

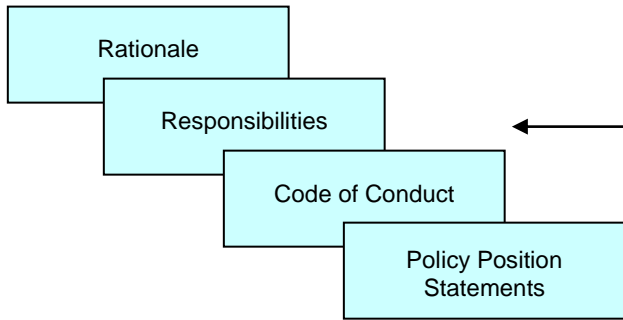
### **3. WHO THIS POLICY APPLIES TO**

This policy applies to the following, whether they are in a paid or unpaid/voluntary capacity. Terms used below are defined in the Statement of Rules:

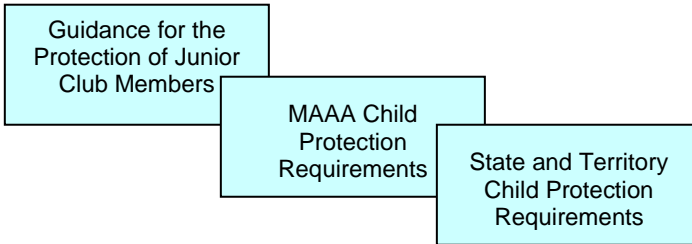
- Members of the MAAA Executive;
- Employees of the MAAA;
- Affiliate Members of the MAAA, including Life Members and Associate Members;
- Honorary and Probationary Members;
- Member groups such as National Special Interest Groups and Special Interest Groups;
- Subcommittees and working parties which may be formed from time to time;
- Clubs;
- Ordinary Members;
- Council;
- Any other person or organisation that is a member of or affiliated with the MAAA;
- Parents, guardians, family members and visitors who from time to time participate in the activities of the MAAA and the activities of its members, to the full extent that is possible.

**Policy Framework**

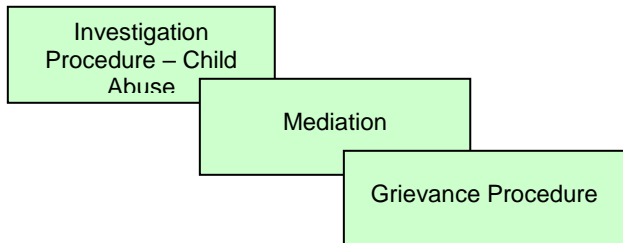
**MAAA MEMBER PROTECTION POLICY**  
 MOP041 contains key roles and responsibilities, policy position statements and a general code of conduct that are applicable throughout the sport of Model Aviation. These should be reflected in all Ordinary Member, Club and other Special Interest Group policies. Ordinary Members will need to add additional information to meet State/Territory government authority requirements. The Member Protection Policy is contained within the MAAA Manual of Procedures which is available on the MAAA website.



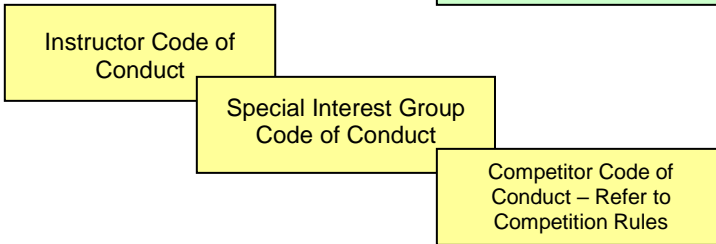
**ANNEX A: GLOSSARY OF TERMS**



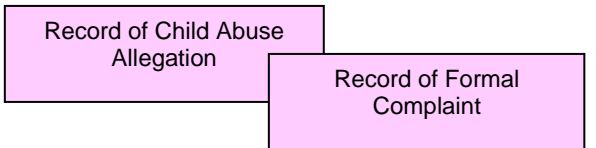
**ANNEX B: CHILD PROTECTION GUIDELINES**  
 Contains specific requirements and generic guidelines for the protection of junior club members. Details of processes that must be followed under State and Territory child protection legislation should be added to Ordinary Member policies.



**ANNEX C: GRIEVANCE PROCEDURE**  
 Contains a procedure for investigating and resolving formal complaints and investigating complaints of child abuse.



**ANNEX D: ROLE-SPECIFIC CODES OF CONDUCT**  
 Contains codes of conduct relevant to specific roles.



**ANNEX E: REPORTING FORMS**  
 Contains reporting documents to aid record keeping.

**MOP055: ALCOHOL, DRUGS AND MEDICAL CONDITIONS POLICY**  
 Contains reference to the Anti-Doping Rules.

**MOP028: DISCIPLINE PROCEDURE**  
 Contains the discipline and appeals process.

#### **4. APPLICABLE AND RELATED DOCUMENTS**

Relevant MAAA Rules, Policies and Procedures which may be referred to in conjunction with this policy are listed below:

- (a) The MAAA Statement of Rules
- (b) The MAAA Competition Rules
- (c) The MAAA Manual of Procedures
  - (i) MOP001: Accident/Incident Reporting and Actions Procedure
  - (ii) MOP022: Risk Assessment Procedure
  - (iii) MOP028: Disciplining of Affiliate Members
  - (iv) MOP055: Alcohol, Drugs and Medical Conditions Policy
  - (v) MOP056: Safe Flying Code

#### **5. DEFINITIONS**

**Note:** The following definitions are specific to MAAA. For the detailed explanation of terms used in this policy refer to Annex A: Glossary of Terms.

<b>Affiliate Member</b> .....	A person properly affiliated with a Club that is properly affiliated with an MAAA Ordinary Member
<b>Club</b> .....	A Club properly affiliated with a State Association
<b>Club Member</b> .....	A financial member of a Club
<b>Instructor</b> .....	A person issued with an MAAA Instructor rating for model aircraft as defined in the Manual of Procedures. A Commercial Instructor is a person operating as an instructor for any form of reward.
<b>Tribunal</b> .....	The MAAA Executive forms a tribunal panel when an Ordinary Member refers an issue for a decision or resolution or when discipline might be appropriate. See MOP028.
<b>MAAA</b> .....	Model Aeronautical Association of Australia Inc.
<b>MAAA Executive</b> .....	The elected officials of the MAAA Inc.
<b>MAAA Ordinary Member</b> ....	A State Association properly affiliated with the MAAA Inc.
<b>Member Protection Information Officer (MPIO)</b>	A person trained to be a point of contact for a person reporting a complaint under, or a breach of, this policy.
<b>MOP</b> .....	MAAA Manual of Procedures
<b>NSIG</b> .....	National Special Interest Group – a body established with interstate membership for the purposed of encouraging a particular facet of aeromodelling throughout Australia. See MOP020.
<b>Ordinary Member</b> .....	See MAAA Ordinary Member
<b>Policy and this policy</b> .....	This Member Protection Policy (MOP041).
<b>MAAA Subcommittee</b> .....	A committee comprising representatives from State Associations appointed by the MAAA Council
<b>SIG</b> .....	Special Interest Group. A group of modellers, recognised by either the MAAA or an Ordinary Member, interested in a particular facet of aeromodelling. Also see NSIG.
<b>State Association</b> .....	See MAAA Ordinary Member

## **6. CODE OF CONDUCT**

The MAAA requires every individual and organisation bound by this policy to:

- 6.1 Be ethical, fair and honest in all their dealings with other people and the MAAA;
- 6.2 Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- 6.3 Always place the safety and welfare of children above other considerations;
- 6.4 Comply with the MAAA's rules and policies including this Member Protection Policy;
- 6.5 Comply with all relevant Australian laws (Federal and State), particularly anti-discrimination and child protection laws;
- 6.6 Be responsible and accountable for their conduct; and
- 6.7 Abide by the relevant Role-Specific Codes of Conduct outlined in Annex D of this policy.

## **7. ORGANISATIONAL RESPONSIBILITIES**

The MAAA; its Council, Executive, Ordinary Members, Affiliated Groups and Clubs shall:

- 7.1 Adopt, implement and comply with the aims of this policy;
- 7.2 Publish, distribute and otherwise promote this policy and the consequences for breaching it;
- 7.3 Promote appropriate standards of conduct at all times;
- 7.4 Promptly deal with any breaches of or complaints made under this policy in an impartial, sensitive, fair, and confidential manner;
- 7.5 Apply this policy consistently without fear or favour;
- 7.6 Recognise and enforce any penalty imposed under this policy;
- 7.7 Ensure that a copy of this policy is accessible to the persons to whom this policy applies;
- 7.8 Appoint or have access to appropriately trained people to be a point of contact for members with complaints or allegations (e.g. a Member Protection Information Officer) and display the names and contact details in a way that is readily accessible; and
- 7.9 Monitor and review this policy at least annually.

## **8. INDIVIDUAL RESPONSIBILITIES**

Individuals bound by this policy are responsible for:

- 8.1 Making themselves aware of the policy and complying with the standards of conduct outlined in this policy;
- 8.2 Consenting to State specific child protection requirements if the individual holds or applies for a role that involves regular, direct and unsupervised contact with people under the age of 18 years e.g. commercial instructors;
- 8.3 Complying with all other requirements of this policy;
- 8.4 Cooperating in providing a discrimination, abuse and harassment free environment;
- 8.5 Understanding the possible consequences of breaching this policy.

## **9. POLICY POSITION STATEMENTS**

The MAAA recognises that certain types of harassment and discrimination are unlawful and that the notification of abuse to the relevant government authority, in certain cases, is a legal requirement.

### **9.1 Child Protection Policy**

- 9.1.1 The MAAA acknowledges that its members provide a valuable contribution to the positive experiences of its junior participants. The MAAA aims to ensure this continues.
- 9.1.2 Every person and organisation bound by this policy must ensure that the safety, welfare and well-being of children are maintained at all times. Measures used to achieve this include:
  - Requiring that Ordinary Members commit to the MAAA guidelines for child protection and intervention as well as their individual State requirements;
  - Ensuring our codes of conduct, particularly for roles which may be associated with juniors, such as instructors, are promoted, enforced and reviewed;

- Providing procedures for raising concerns; and
- Providing education and/or information to those involved in our organisation on child protection. Refer to Annex B for guidelines.

9.1.3 The MAAA requires that any child who is abused or anyone who reasonably suspects that a child has been or is being abused by someone within our organisation, to report it immediately to their Club President who will report it to the police. Descriptions of the sorts of activity which may be abuse are in the Glossary at Annex A.

9.1.4 All allegations of child abuse will be dealt with promptly, seriously, sensitively and confidentially. A person will not be victimised for reporting an allegation of child abuse and the privacy of all persons concerned will be respected. Our procedures for handling allegations of child abuse are outlined in Annex C of this policy.

9.1.5 If anyone bound by this policy reasonably suspects that a child is being abused by his or her parent/s, they are advised to contact the relevant government department for youth, family and community services in their state/territory.

9.1.6 Images of children can be used inappropriately or illegally. The MAAA requires that its members, clubs and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way the image will be used.  
The MAAA requires that wherever images of children are published, members avoid naming or identifying the child or avoid using both the first name and surname. Personal information such as residential address, email address or telephone numbers will not be displayed without gaining consent from the parent/guardian. Only appropriate images, relevant to our sport will be displayed.

## **9.2 Anti-Discrimination and Harassment Policy**

9.2.1 The MAAA aims to provide an environment where all those involved in its activities are treated with dignity and respect, and without harassment or discrimination.

9.2.2 The MAAA recognises that all those involved in its activities cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed.

9.2.3 The MAAA prohibits all forms of harassment and discrimination based on personal characteristics listed in the Glossary. This includes any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Discrimination and harassment are extremely distressing, offensive, humiliating and/or threatening and create an uncomfortable and unpleasant environment. In most circumstances discrimination and harassment are against the law.

9.2.4 If any person feels they are being harassed or discriminated against by another person or group bound by this policy, they should refer to our grievance procedure outlined in Annex C of this policy. This will explain what to do about the behaviour and how the MAAA will deal with the problem.

## **9.3 Gender Identity Policy**

9.3.1 The MAAA is committed to providing an inclusive sporting environment where transgender or transsexual people involved in its activities are able to contribute and participate. The MAAA expects everyone who is bound by this policy to treat people who identify as transgender or transsexual fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. The MAAA will not tolerate any unlawful discrimination or harassment against a person who identifies as, or who is thought to be, transgender or transsexual.

9.3.2 If any person feels they are being harassed or discriminated against by another person or group bound by this policy, they should refer to our grievance procedure outlined in

Annex C of this policy. This will explain what to do about the behaviour and how the MAAA will deal with the problem.

#### **9.4 Social Networking Policy**

9.4.1 The MAAA acknowledges the enormous value of social networking websites, such as Facebook and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.

Social media postings, blogs, status updates and tweets:

- must not use offensive, provocative or hateful language
- must not be misleading, false or injure the reputation of another person
- should respect and maintain the privacy of others
- should promote the sport in a positive way.

#### **9.5 Bullying**

9.5.1 The MAAA 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 in our organisation.

9.5.2 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 a group.

9.5.3 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.

9.5.4 Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. The MAAA will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a fellow competitor, club mate, club executive, NSIG, state executive, or the MAAA should never be communicated on social networking websites. These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant competition director, club, NSIG, state association or in the final instance, the MAAA, through the Federal Secretary.

9.5.5 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.



## **10. Grievances**

### **10.1 Complaints, Disputes and Grievances**

- 10.1.1 The successful resolution of matters of concern or conflict within an organisation is vital to the well-being of all members of that organisation.
- 10.1.2 A complaint can be about an act, behaviour, omission, situation or decision that someone thinks is unfair, unjustified, unlawful and/or a breach of this policy. Complaints will always vary. They may be about individual or group behaviour; they may be extremely serious or relatively minor; they may be about a single incident or a series of incidents; and the person about who the allegation is made may admit to the allegations or emphatically deny them.
- 10.1.3 If possible, but depending on the nature and seriousness of the complaint or dispute, members and their clubs should responsibly attempt to address the matter directly in the first instance.
- 10.1.4 If the complaint or dispute is not resolved or, because of its serious nature, the matter is formally reported by the complainant or the club to the MPIO, the Ordinary Member or the MAAA, it becomes a 'grievance', and is subject to the procedure outlined in Annex C of this policy.
- 10.1.5 Any person or group may report a concern (hereafter known as the complainant) about a person/s or group/s bound by this policy if they reasonably believe that a person/s or group/s has breached this policy.
- 10.1.6 A formal complaint or grievance shall be reported in writing.
- 10.1.7 The MAAA aims to support its members by providing a procedure for the effective and early resolution of grievances based on the principles of natural justice.
- 10.1.8 All grievances shall be dealt with promptly, seriously, sensitively and confidentially.
- 10.1.9 Individuals and organisations to which this policy applies may also pursue their complaint externally under anti-discrimination, child-protection or other relevant legislation.

### **10.2 Vexatious Complaints & Victimisation**

- 10.2.1 The MAAA aims to ensure our grievance procedure has integrity and is free of unfair repercussions or victimisation. If at any point in the grievance process the recipient of the complaint, or the Ordinary Member dealing with the complaint, considers that a complainant has knowingly made an untrue complaint or the complaint is vexatious or malicious, the matter may be referred to the MAAA Executive for appropriate action which may include disciplinary action against the complainant.
- 10.2.2 The MAAA will also take all necessary steps to make sure that people involved in the grievance process are not victimised by anyone for coming forward with a complaint or for helping to sort it out. Disciplinary measures will be imposed on anyone who victimises another person for making a complaint.

### **10.3 Mediation**

- 10.3.1 The MAAA aims to sort out complaints with the minimum of fuss wherever possible. In most cases, disputes which have escalated to become a formal complaint can be resolved with the assistance of the Ordinary Member.

10.3.2 If a complainant wishes to try and resolve the complaint with the assistance of a neutral third person or mediator, the Ordinary Member or MAAA Executive will, in consultation with the complainant, arrange for a mediator to mediate the complaint.

#### **10.4 Tribunals**

10.4.1 A Tribunal may be formed in circumstances when the MAAA Executive is involved because of the serious nature of the grievance. Our Tribunal hearing and appeal process is outlined in MOP028 in the Manual of Procedures.

10.4.2 Every group bound by this policy will recognise and enforce any decision made, and form of discipline imposed, at the conclusion of a Tribunal hearing and/or appeal process under this policy.

### **11. WHAT IS A BREACH OF THIS POLICY?**

It is a breach of the MAAA Member Protection Policy for any person or organisation to which this policy applies, to have been found to have:

- 11.1 Done anything contrary to this policy;
- 11.2 Breached the Code of Conduct and/or a Role-Specific Code of Conduct;
- 11.3 Brought the MAAA into disrepute;
- 11.4 Failed to comply with MAAA policies and procedures for the protection, safety and welfare of children;
- 11.5 Discriminated against or harassed any person;
- 11.6 Victimised another person for reporting a complaint;
- 11.7 Disclosed to any unauthorised person or organisation any MAAA information that is of a private, confidential or privileged nature;
- 11.8 Made a complaint they knew to be untrue, vexatious, malicious or improper;
- 11.9 Failed to comply with a penalty imposed after a finding that the individual or group has breached this policy;
- 11.10 Failed to comply with a direction given to the individual or group during the discipline process.

### **12. FORMS OF DISCIPLINE**

If an individual or group to which this policy applies breaches this policy, one or more forms of discipline may be imposed. These may include making a verbal or written apology, being suspended or expelled or having a person's appointment or employment terminated. More information on the range of disciplinary measures and the factors that will be considered before imposing discipline can be found in MOP028 in the Manual of Procedures.

## **ANNEX A. GLOSSARY OF TERMS**

This glossary sets out the meaning of words used in this policy and its attachments without limiting the ordinary and natural meaning of the words. State/Territory specific definitions and more detail on some of the words in this glossary can be sourced from the relevant State/Territory child protection commissions or equal opportunity and anti-discrimination commissions.

**Abuse** is a form of harassment and includes physical abuse, emotional abuse, sexual abuse, neglect, and abuse of power. Examples of abusive behaviour include bullying, humiliation, verbal abuse and insults.

**Child** means a person who is under the age of 18 years (see also definition of young person)

**Child abuse** relates to children at risk of harm (usually by adults, sometimes by other children) and often by those they know and trust. It can take many forms. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child abuse may include:

- Physical abuse by hurting a child or a child's development (e.g. hitting, shaking or other physical harm; giving a child alcohol or drugs; or training that exceeds the child's development or maturity).
- Sexual abuse by adults or other children where a child is encouraged or forced to watch or engage in sexual activity or where a child is subject to any other inappropriate conduct of a sexual nature.
- Emotional abuse by ill-treating a child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a child).
- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a child from danger or foreseeable risk of harm or injury).

**Complainant** means the person or group reporting a grievance. In most cases of Child Abuse the complainant will be the child.

**Discrimination** means treating or proposing to treat someone less favourably than someone else because of a particular characteristic in the same or similar circumstances in certain areas of public life (this is Direct Discrimination). The law also covers Indirect Discrimination. This is imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics. The characteristics covered by discrimination law across Australia are:

- Age;
- Disability;
- Family/carer responsibilities;
- Gender identity/transgender status;
- Homosexuality and sexual orientation;
- Irrelevant medical record;
- Irrelevant criminal record;
- Political belief/activity;
- Pregnancy and breastfeeding;
- Race;
- Religious belief/activity;
- Sex or gender;
- Social origin;
- Trade union membership/activity.

Some States and Territories include additional characteristics such as physical features or association with a person with one or more of the characteristics listed above.

**Grievance** means any real or perceived ground for complaint including discrimination on any ground, any unfair or improper treatment and any harassment or abuse.

**Harassment** is any type of behaviour that the other person does not want and does not return and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and of a type that a

reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

**Unlawful harassment** includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or other characteristic (see characteristic list under discrimination).

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is if someone else finds it harassing then it could be harassment. Harassment may be a single incident or repeated. It may be explicit or implicit, verbal or non-verbal.

Under this policy discrimination and harassment are not permitted in employment (including volunteer and unpaid employment); when providing goods and services including access to facilities; when providing education and accommodation; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any player or other person to any competition and the obtaining or retaining membership of clubs and organisations (including the rights and privileges of membership).

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination or harassment may also be against the law.

It is also against discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment. Example: a member is ostracised by his club for complaining about a member's sexist behaviour to club official or for supporting another member who has made such a complaint.

Public acts of racial hatred which are reasonably likely in the circumstances to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability – see vilification.

**Junior** means a person under the age of eighteen (18) years who is participating in an MAAA activity.

**Mediator** means a person appointed to mediate complaints made under this policy. It is preferable that the mediator has relevant skills, qualifications and/or training in mediation.

**Member protection** is a term used by the Australian sport industry to describe the practices and procedures that protect members – both individual members and the member organisations such as clubs, state associations, other affiliated groups and the national body. Member protection involves:

- protecting those that are involved in sport activities from harassment, abuse, discrimination and other forms of inappropriate behaviour
- adopting appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with juniors, and
- providing education.

**Member Protection Information Officer (MPIO)** means a person trained to be a point of contact for a person reporting a complaint under, or a breach of, this policy. The MPIO provides confidential information and moral support to the person with the concern or who is alleging harassment or a breach of this policy. They help the complainant deal with any emotions they may have about what has happened and operate as a sounding board as the complainant decides what they want to do. The MPIO may accompany the complainant in anything they decide to do, if it feels appropriate and they are happy to do it.

**Natural justice** incorporates the following principles:

- a person who is the subject of a complaint must be fully informed of the allegations against them
- a person who is the subject of a complaint must be given full opportunity to respond to the allegations and raise any matters in their own defence
- all parties need to be heard and all relevant submissions considered
- irrelevant matters should not be taken into account

- no person may judge their own case
- the decision maker/s must be unbiased, fair and just
- the penalties imposed must not outweigh the 'crime'

**Respondent** means the person or group who is being complained about.

**Role-specific codes of conduct** means standards of conduct required of certain roles (e.g. instructors).

**Sexual harassment** means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

**Victimisation** means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a complaint under government legislation (e.g. anti-discrimination) or under this policy, or for supporting another person to make a complaint.

**Vilification** involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of discrimination. Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public.

**Young People/person** means people in the 13 – 18 year age group.

**ANNEX B. CHILD PROTECTION REQUIREMENTS**

**B1. MAAA Child Protection Requirements**

- B1.1 Child Protection is about keeping children safe from abuse and protecting them from people who are unsuitable to work with children. Child abuse is illegal in all states and territories of Australia, with each having its own child protection laws that cover the reporting and investigation of cases of child abuse.
- B1.2 As part of the MAAA's commitment to protecting the safety and welfare of children and young people involved in MAAA activities, the following measures are mandatory:
- Ordinary Members shall require a satisfactory Working with Children Check or a national police check under the relevant State Child Protection legislation from those members making applications to the MAAA to become Commercial Instructors.
  - Ordinary Members shall also require Clubs which are affiliated with them to request that any people who currently occupy or are applying for positions which involve regular, direct and unsupervised contact with juniors consent to a Working with Children Check or a national police check.
  - Affiliate Members who do not comply with these legislative requirements shall not be permitted to take up such a position within the club.
  - For information on these requirements please contact the Federal Secretary at [secretary@maaa.asn.au](mailto:secretary@maaa.asn.au)
- B1.3 Any fees payable in connection with the Working with Children Check or the national police check are in the first instance the responsibility of the Affiliate Member concerned.
- B1.4 Commercial Instructors and club members involved in regular, direct and unsupervised contact with juniors are required to comply with the Code of Conduct for Instructors at Annex D. The code shall be promoted throughout clubs for anyone instructing a junior member.
- B1.5 The Ordinary Member shall protect the privacy of any person who is checked and the confidentiality of any information obtained through the checking process. Information collected during screening shall be returned to the relevant person if that person is not appointed to/will not remain in the position, or otherwise be destroyed with the consent of the person concerned.

**B2. Guidance for Clubs on the Protection of Junior Members**

- B2.1 In setting out a Child Protection Policy, clubs are bound by the MAAA requirements set out above, but are able to take their individual situations and local needs into account.
- B2.2 It is advisable to clearly define who takes responsibility for junior club members. This may be the parents/guardians of the juniors; it may be club members; or it may be a shared responsibility. Whatever the situation is within the club, it should be well publicised to ensure that all are aware of any division of responsibilities. Club rules should carry this information and a copy of the rules given to parents/guardians and their attention drawn to them. The MAAA is responsible for drawing clubs' attention to this MOP and its contents.
- B2.3 No senior member is to be expected to assume full responsibility for a junior member unless they have been clearly requested to do so by the junior member's parent/guardian and if the action is in line with the club's policy regarding junior members.
- B2.4 Should a member discover a junior member is unsupervised they must assume responsibility for the junior member's safety in the first instance. The situation should then be rectified as soon as possible by seeking out the parent/guardian or nominated

supervisor. Such an occurrence should be reported to the club committee as action may need to be taken to prevent this in the future.

- B2.5 While supervising junior members, senior members should avoid placing themselves in a position that could be open to misrepresentation or question. For example, an instructor should never be left alone at the end of a flying session with just one child. Clubs must insist that parents remain, or (depending on club policy) at least arrive 10 minutes before the end of training if they are not able to remain. However, if an instructor is put in this situation then they should ask another member to stay with them until the child is collected.
- B2.6 Any members who find themselves dealing with a matter connected with Child Protection should immediately contact the Club President, an MPIO, or the Ordinary Member through the State Secretary.

**ANNEX C. GRIEVANCE PROCEDURE**

**C1. Overview of Grievance Procedure**

**C1.1 Aim**

This procedure is based on the principles of natural justice and aims to ensure that the rights and responsibilities of all parties are respected and consensus achieved. This procedure applies to the resolution of grievances and disputes which can not be resolved at club level or, because of their serious nature, the matter has been reported to the Ordinary Member or the MAAA. Where Ordinary Members, clubs and Special Interest Groups have their own complaints process in place, it is expected to be consistent with the MAAA procedure where these overlap.

**C1.2 Procedure**

- C1.2.1 As a first step, a complainant should always try to sort out the problem with the person/s involved. Clubs shall have a process by which the majority of disputes can be resolved before they escalate. The MAAA provides one or more trained Member Protection Information Officers (MPIOs) to be a point of contact for members with a concern or who are alleging a breach of this policy.
- C1.2.2 Persons or groups wishing to make a formal complaint should in the first instance contact the Secretary of the Ordinary Member they are affiliated with in writing, stating their concern. This may be via email.
- C1.2.3 A person or group may at any time contact the MAAA through the MAAA Secretary in relation to a grievance; however, such contact will not obviate the procedures laid out in this policy.
- C1.2.4 Where in the judgement of the Ordinary Member, there is a need for the grievance to be addressed by them, the complainant and respondent/s concerned will be informed and involved.
- C1.2.5 Where in the judgement of the Ordinary Member, the complaint would be better dealt with in the first instance by the complainant's club they will direct the matter back to the club officials.
- C1.2.6 Resolution of the matter shall begin within two working days of receipt of the formal complaint.
- C1.2.7 The Ordinary Member shall respond in writing to all parties within two weeks of the receipt of the original complaint and, if the grievance process is lengthy, at no less than two weekly intervals until an outcome has been achieved.
- C1.2.8 The Secretary and/or President of the Ordinary Member or their nominated officer shall address the concerns and attempt resolution through discussion with all parties. Consideration may need to be given to some of the following issues:
- whether they have had any personal involvement in the circumstances giving rise to the complaint and, if so, whether their ability to impartially manage the complaint is compromised or may appear to be compromised;
  - whether, due to the nature of the complaint or parties involved, specific expertise or experience may be required to manage the complaint;
  - the wishes of the complainant, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
  - whether, due to the nature of the complaint, the relationship between the parties involved and any other relevant factors, the complaint should be referred (or should not be referred) to the MAAA;



- the nature and sensitivity of any information or other material that must be provided by the complainant, the respondent, and any of the other people involved in the complaint;
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the likelihood and the consequences (if the complaint is ultimately proven) that the complainant will be subject to further unacceptable behaviour while the grievance process is being conducted.

C1.2.9 In investigating a formal complaint, the Ordinary Member shall:

- get full information from the complainant (if this information has not already been obtained);
- put the information received from the complainant to the respondent/s and ask them to provide their side of the story;
- decide whether they have enough information to determine whether the alleged matter did or did not happen; and
- if there is a dispute over the facts, then obtain statements from witnesses and other relevant evidence to assist in a determination.

C1.2.10 Where the Ordinary Member elects to engage an independent investigator, they shall provide a written brief to ensure the terms of engagement and scope of the investigator's role and responsibilities are clear.

C1.2.11 Both the complainant and the respondent(s) are entitled to support throughout this process from their chosen support person/adviser.

C1.2.12 The Ordinary Member shall 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); and/or
- mischievous, vexatious or knowingly untrue;

and determine what, if any, further action to take. This action may include: further investigation; referring the grievance to a mediation session; referring the grievance to the MAAA Executive for resolution, which may result in a Tribunal hearing and/or disciplinary action in accordance with MOP028; and/or referring the complaint to the police or other appropriate authority.

C1.2.13 An independent investigator shall provide a report documenting the complaint, investigation process, evidence, finding and, if requested, recommendations to the Ordinary Member.

C1.2.13 A report documenting the complaint and summarising the investigation process and key points that were found to be substantiated, inconclusive, unsubstantiated and/or mischievous shall be provided by the Ordinary Member to the complainant and the respondent/s.

C1.2.14 The complainant and the respondent/s may have the right to appeal against any decision based on the investigation. Information on the appeals process is contained in MOP028.

C1.2.15 The Ordinary Member shall impose any appropriate discipline within its rules. Information on discipline is contained in MOP028.

C1.2.16 At any stage, the Ordinary Member may request the assistance of the MAAA Executive in the grievance and/or discipline process.

C1.2.17 The Ordinary Member shall document the grievance, the process and the outcome and shall provide a written report to the MAAA Executive. All

documents shall be stored in a confidential and secure place. If the complaint was dealt with at a state level, the original documents shall be stored in the State Association office. If the matter is of a serious nature, or if the matter was escalated to and/or dealt with at the national level, the original documents shall be stored at the MAAA office with a copy stored at the State Association office.

C1.2.18 If the matter is not resolved after these processes, it may be pursued through processes negotiated with the parties involved or the complainant may choose to approach an external agency such as an equal opportunity commission to assist with a resolution.

C1.2.19 Any costs relating to the grievance process set out in this Policy (e.g. investigation and/or mediation and/or Hearings Tribunal) shall be met by the parties concerned.

## **C2. Confidentiality**

- C2.1 Breaches of confidentiality can impact on the satisfactory resolution of the grievance and on the reputations of the parties involved.
- C2.2 Communication of the issue must be limited only to those who need to be informed in order for the grievance to be resolved.
- C2.3 The identity of the person/s reporting the matter must not be revealed to any person without that person's knowledge and consent, unless it is required to be disclosed by law. However, there should be an understanding that anonymity may make resolution more difficult.

## **C3. Mediation**

- C3.1 The people involved in a dispute (complainant and respondent(s)) may work out their own resolution of the dispute or seek the assistance of a neutral third person or a mediator.
- C3.2 Mediation after a formal complaint has been made to the Ordinary Member may occur either before or after an investigation of the complaint.
- C3.3 Mediation will only be recommended:
- After the complainant and respondent have had their chance to document their version of events; and
  - The Ordinary Member does not believe that any of the allegations warrant any form of disciplinary action - proven serious allegations will not be mediated, no matter what the complainant desires; and
  - Mediation looks like it will work (i.e. the versions given by the complainant and respondent tally or almost tally and/or at the very least, it looks as though it will be possible for each party to understand the other party's point of view).
- C3.4 Mediation will not be recommended if:
- The respondent has a completely different version of the events and will not deviate from this;
  - The complainant or respondent is unwilling to attempt mediation; or
  - Due to the nature of the complaint or any other relevant factors, the complaint is not suitable for mediation.
- C3.5 If mediation is chosen to try and resolve the dispute, the Ordinary Member shall notify the complainant and the respondent(s) of the decision to refer the matter to mediation and, in consultation with both parties, arrange for a mediator to mediate the complaint.

- C3.6 The mediator's role is to assist the complainant and respondent(s) reach an agreement on how to resolve the problem. The mediator, in consultation with the complainant and respondent(s), will choose the procedures to be followed during the mediation. At a minimum, an agenda of issues for discussion will be prepared by the mediator.
- C3.7 The mediation will be conducted confidentially and without prejudice to the rights of the complainant and the respondent(s) to pursue an alternative process if the complaint is not resolved.
- C3.8 At the end of a successful mediation the mediator will prepare a document that sets out the agreement reached between the complainant and respondent(s) and it will be signed by them as their agreement.
- C3.9 If the formal complaint is not resolved by mediation, the complainant may:
- Write to the Ordinary Member to request that they reconsider the complaint in the absence of mediation; or
  - Approach an external agency such as an anti-discrimination commission.

#### **C4. Investigation Procedure – Child Abuse**

Please refer to Annex A. (GLOSSARY OF TERMS) for a definition of Child Abuse. An allegation of Child Abuse is a very serious matter. It has the potential to severely cause harm to the entire aeromodelling fraternity and should be given high priority.

- C4.1 Any allegation of Child Abuse must be handled with a high degree of sensitivity. The initial response to a complaint that a child has allegedly been abused should be immediate if the incident/s are serious or criminal in nature while less serious/urgent allegations should be actioned as soon as possible, preferably within 24 hours. Many first reports of Child Abuse escalate from what seems to be a minor matter to more serious issues. The following is a basic outline of the key processes to follow. More information can be obtained from the relevant State or Territory government agency.
- C4.2 **Initial receipt of an allegation**  
The initial response of the person that receives the complaint from the child (or person on behalf of the child) is crucial to the well-being of the child. It is important for the person receiving the information to:
- Listen to, be supportive and do not dispute what the child says;
  - Reassure the child that what has occurred is not the fault of the child;
  - Ensure the child is safe;
  - Be honest with the child and explain that other people may need to be told in order to stop what is happening;
  - Ensure you are clear about what the child has said but do not elicit detailed information, ask leading questions or offer an opinion.

In many incidents, the first complaint made by a child is the most important and will greatly affect the outcome of future action. It is important that the statements taken initially are accurately recorded and recorded while the facts are fresh in the mind of the person receiving the report.

- Act promptly to accurately record the discussion in writing. Statements made should be recorded in the first person;
  - Do not discuss the details with any person other than those detailed in these procedures; and
  - Do not contact the alleged offender.
- C4.3 **Report allegations**
- The person receiving the complaint should **immediately** notify the Club President who is obliged to assess the situation and seek clarification from the local Policing

Authority or State/Federal MPIO as to the course of action to be taken. The Club President should contact the Police for advice if there is **any** doubt about whether the complaint should be reported (for example, the allegation may relate to poor/inappropriate practice). Note that any allegation above verbal abuse could amount to a criminal matter.

- The Club President should not contact the person complained about unless advised to do so.
- Advice of the Policing Authority or MPIO should be followed.

#### C4.4 **Notify State Association and MAAA**

The Club President shall notify the State President who shall confirm whether the allegation has been reported to Police. The State President should obtain and clarify basic details from the Club President such as:

- Child's name, age and address;
- Person's reason for suspecting abuse (observation, injury or other); and
- Names and contact details of all people involved, including witnesses;
- The advice given by the Policing Authority or MPIO

The State President shall notify the MAAA so that they can assist to manage the situation if necessary (e.g. deal with any media enquiries, contact the parents following advice from the Policing Authority).

#### C4.5 **Protect the child and manage the situation**

- The State President should take advice from the Policing Authority, assess the risks to the child/children and carefully consider any interim action.
- Action the State President in conjunction with the MAAA may implement (on advice) includes redeployment of the alleged offender to a non-child related position, supervision of the alleged offender or removal/suspension from their duties until the allegations are finally determined. Legal advice should be sought if the person is in paid employment.
- The State President (on advice) may also put in place through the Club concerned, measures to protect the child and the person against whom the complaint is made from victimisation and gossip. If the person is stood down, it should be made clear to any persons aware of the incident that this does not mean the respondent is guilty.

#### C4.6 **Investigation**

Where there is an allegation made against a person to whom this policy applies, there may be three types of investigations:

- Criminal (conducted by police)
- Child protection (conducted by child protection authority)
- Disciplinary or misconduct (conducted by the State Association or the MAAA if the matter is referred to them).

The investigation into Child Abuse is a serious issue and any internal investigation should be done in a manner which does not affect any possible legal/criminal proceedings. The advice of the Police or relevant State or Territory government authority should be followed explicitly.

#### C4.7 **Internal investigation**

- All internal investigations should be conducted by a person who is able to ensure all legal requirements are adhered to.
- Strict confidentiality, impartiality, fairness and due process must be maintained at all times.
- Records of all interviews and signed statements are required. The information collected during the investigation may need to be made available to the relevant authorities.
- If an internal investigation is conducted, the investigator will provide a report to the State Association or the MAAA Executive (if the matter is referred to them) who will

consider all the information and determine a finding. It will also recommend action and its rationale for the action.

- If disciplinary action is to be taken, reference should be made to the procedure in MOP028.
- For incidents of a serious or criminal nature, consideration must be given to the findings of the police and/or the State or Territory government authority before making a decision on disciplinary proceedings.
- A copy of the report of the investigation may be required by the relevant State government authority. (e.g. the NSW Commission for Children and Young People requires notification of relevant employment proceedings).
- The original document shall be stored at the State Association office with a copy at the MAAA office.

## **ANNEX D. ROLE-SPECIFIC CODES OF CONDUCT**

### **D1. Instructor Code of Conduct**

For all students:

- Monitor your student's attention span and beware of overloading a training session.
- Use clear, precise communication relevant to the student's level of experience.
- Never ridicule or yell at a student for making a mistake.
- Ensure that the time spent with you is a positive experience. Emergency type situations should not be allowed to develop.
- Operate within the Safe Flying Code and teach student pilots to do the same.
- Ensure that your training equipment meets safety requirements and is appropriate to the age and ability of your students.

For junior students:

- Be reasonable in your demands on a young student's time, abilities, energy and enthusiasm.
- Compliment and encourage young learners.
- Remember that young people participate for pleasure, and competition is only part of the fun.
- Display control, respect and professionalism to all at the club. This includes club officials, other pilots, parents of junior members and visitors. Encourage junior members to do the same.
- Any physical contact should be appropriate to the situation and necessary for the junior participant's skill development.
- Respect the rights, dignity and worth of every young person you instruct regardless of their ability, gender, cultural background or religion.

### **D2. Special Interest Group Code of Conduct**

- All members of Special Interest Groups shall comply with the MAAA Code of Conduct.
- All activities conducted by the SIG should be aimed at promoting the sport of model aviation both for the specific discipline and in general.
- Neither the SIG nor its members shall do anything to bring the sport of model aviation into disrepute.
- The SIG shall conduct itself at all times in a manner that is consistent with the aims and objectives of MAAA.
- Membership of the SIG shall be open to any Affiliate Members of the MAAA and from any state. All members shall be treated equally and consistently.
- Any events organised by the SIG on behalf of the MAAA will be open to all MAAA Affiliate Members whether members of the SIG or not.
- The SIG will endeavour at all times to ensure its members treat each other with mutual respect and support each other to develop both individual and collective skills.
- Debates on issues concerning the SIG and its members shall be conducted in a positive manner without personal or insulting comments being made particularly in a public meeting or forum.

**ANNEX E. REPORTING FORMS**

To assist in consistency and accuracy in following procedure and reporting on the issues covered by the MAAA's Member Protection Policy, the following documents are to be used when applicable:

**E1 Record of Formal Complaint**

**E2 Record of Child Abuse Allegation**

**E3 General principles to be followed when completing a report of a complaint:**

- Treat all complaints seriously.
- Deal with complaints promptly, sensitively and confidentially.
- Maintain a calm attitude.
- Ask the complainant if they will consent to you taking notes.
- Write the description of the complaint/problem using the complainant's own words (as much as is possible).
- Find out the nature of the relationship between the complainant and the person complained about (for example, members of the same team) and if there is any relevant history.
- Take a note of the facts and do not pre-judge the situation.
- Ask the complainant whether they fear victimisation or other consequences.
- Find out what outcome the complainant wants and if they need any support.
- Ask the complainant how they want the complaint to be dealt with under the policy.
- Keep the complainant's name confidential and do not disclose it to another person without the complainant's consent except if disclosure is required by law (for example, a report to State government authorities) or if disclosure is necessary to effectively deal with the complaint.



### Confidential Record of Formal Complaint

Complainant's Name: <small>(In BLOCK letters)</small>	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	Date Formal Complaint Received:
MAAA Number:	Aus	
Address:		
Phone:		
Email:		
Club: (through which affiliation is paid)		
Name of person/s complained about:	<input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18	
Role/status of person complained about:		
Location and date of alleged issue:	Date: / /	
Description of alleged issue:		
Category of complaint: e.g. verbal abuse		
Methods (if any) of attempted informal resolution:		
Support person (if any):		
Formal resolution procedures followed: (outline)		

Sample



<p>If investigated: Investigator/s: Finding –  Action recommended –</p>	<p>Attach terms of investigation, witness statements and other relevant information.</p>
<p>If mediated: Parties present –  Terms of Agreement signed and attached – Other action taken –</p>	<p>Date: / /</p>
<p>If went to Tribunal hearing: Decision – Action recommended –  Report attached –</p>	<p>Date: / /</p>
<p>If went to Tribunal on appeal: Decision – Action recommended –  Report attached –</p>	<p>Date: / /</p>
<p>Resolution:   Length of time to resolve</p>	
<p>Report completed by:</p>	<p>Name: Position: Signature: <span style="float: right;">Date: / /</span></p>
<p>Signed by:</p>	<p>Complainant: <span style="float: right;">Date: / /</span>  Respondent: <span style="float: right;">Date: / /</span></p>

Sample



### Confidential Record of Child Abuse Allegation

Before completing, ensure the procedures outlined in Annex C4 have been followed and advice has been sought from the relevant State government agency and/or Police.

Complainant's Name: (if other than the child) <small>(In BLOCK letters)</small>		Date Formal Complaint Received:
Club: (through which affiliation is paid)		Role/status:
MAAA Number:	Aus	
Complainant's Address:		
Complainant's Phone:		Email:
Child's name:		Age:
Child's Parents/Guardians:		
Child's address:		
Child's home phone:		
Person's reason for suspecting abuse: <small>(e.g. observation, injury, disclosure)</small>	<b>Sample</b>	
Name of person complained about:		
Role/status:		
Witnesses: <small>(if more than 3 witnesses, attach details to this form)</small>	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:
MPIO contacted::	Who: When: Advice provided:
Police and/or government agency investigation:	Finding: <b>Sample</b>
Internal investigation: (if any)	Finding:
Action taken:	
Report completed by:	Name: Position: Signature: <span style="float: right;">Date: / /</span>
Signed by:	Complainant (if not a child)