



# **MEMBER PROTECTION POLICY**

*Version 1  
January 2019*

## ***Preface***

Australian Darts Legends (Inc) is committed to providing an environment safe for players and that is free from harassment and abuse for everyone and promotes respectful and positive behaviour and values within our sport.

The policies included in this document have been updated to include all the current relevant and required conditions to provide a code of conduct that forms the basis of appropriate and ethical conduct that everyone involved in our sport must abide by.

This policy is an essential part of the Australian Darts Legends (Inc)'s proactive and preventative approach to ensure that any inappropriate behaviour does not occur within our sport.

The objectives of this policy are to:

- protect and provide a safe environment for all those who participate in Australian Darts Legends (Inc)'s activities and events;
- provide guidelines to its members for their protection while participating in Dart related activities and events;
- assist in the maintenance of the high level of sportsmanship in Darts;
- resolve problems relating to the conduct of players in their relations with each other, officials and the public;
- assist in maintaining a positive attitude towards officials.

Australian Darts Legends (Inc)'s Executive Committee believes that everyone who participates in activities or events in our sport has the right to be treated with dignity and respect. They have the right to have any complaints or charges dealt with in a just manner and given the opportunity to be heard before any penalties are imposed.

## **PART A: NATIONAL MEMBER PROTECTION POLICY**

### **1. Introduction**

Australian Darts Legends (Inc) Incorporated (herein after referred to as ADL.) is dedicated to the continued progress of the Sport of Darts in Australia by servicing the present and future needs of the States/Territories and their Members.

- a) ADL. is committed to accomplish this by continuously distinguishing the needs of all players, administrators and supporters and to demonstrate effective management, making optimum use of accessible resources and co-operating with its members in

the search of excellence.

It is the mission of ADL. through unity, to encourage and promote the fostering of the Sport of Darts throughout Australia.

With vision ADL. will promote and develop the game of Darts for all to play. It is an objective of ADL for all States/Territories to be competitive at National and International levels and to be an organisation of excellence.

### **Core values will include:**

- People working together.
- Co-operation between States/Territories, their members and ADL. Executive Committee
- State/Territory Members participating.
- The principle of social justice.
- Professionalism and integrity in the way we work.
- Friendship and Sportsmanship.

The objective of ADL is:

1. To build and maintain a strong profile of the sport of Darts in Australia as a popular and successful sport.
2. To make Darts more marketable by raising the overall profile of the sport in a way that will increase people involvement.
3. To increase the number of Legends Dart Players by providing a service: i.e. provide an infrastructure that will attract the State/Territory members and keep players Involved in the sport once they attain the age of 45.
4. Provide the maximum availability of the Sport of Darts to all Australians and to ensure that access and equity is not denied on the basis of gender, disability, cultural background or location.
5. Ensure the standard of Darts in Australia is raised to a level that will improve the opportunity for consistent success at State, National and International levels.
6. Improve the business proficiency of ADL by appropriately restructuring the Board of Management to meet the needs of the organisation.

## **2. Purpose of this policy**

This Member Protection Policy aims to assist Australian Darts Legends (Inc) to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It sets out our commitment to ensure that every person bound by the policy is treated with respect and dignity and protected from discrimination, harassment and abuse. It also seeks to ensure that everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

The attachments to this policy describe the practical steps we will take to eliminate discrimination, harassment, and other forms of inappropriate behaviour from our sport. As part of this commitment, the policy allows Australian Darts Legends (Inc) to take disciplinary action against any person or organisation bound by this policy if they breach the policy.

This policy has been endorsed by the Executive of Australian Darts Legends (Inc) and has been incorporated into our, rules, regulations and/or by-laws. The policy starts on 1<sup>st</sup> July 2019 and will operate until replaced.

The current policy and its attachments can be obtained from our website at:  
[www.australianlegends.com.au](http://www.australianlegends.com.au)

This policy is supported by Member Protection Policies that have been adopted and implemented by our member associations and affiliated clubs.

### 3. Who is bound by this policy?

This policy should apply to as many persons as possible who are involved with the activities of Australian Darts Legends (Inc), whether they are in a paid or unpaid/voluntary capacity and including:

- 3.1** Persons appointed or elected to boards, committees and sub-committees
- 3.2** Employees of Australian Darts Legends (Inc)
- 3.3** Members of Australian Darts Legends (Inc) Executive;
- 3.4** Support personnel, including managers, captains and others;
- 3.5** Players;
- 3.6** Players, officials and other personnel participating in events held or sanctioned by Australian Darts Legends (Inc).

This policy will continue to apply to a person even after he or she has stopped their association or employment with Australian Darts Legends (Inc), if disciplinary action against that person has begun. It is also intended this policy will apply to Member and Affiliated Clubs and associated organisations.

### 4. Organisational responsibilities

Australian Darts Legends (Inc), affiliated associations and active members must:

- 4.1** Adopt, implement and comply with this policy
- 4.2** Ensure that this policy is enforceable
- 4.3** Publish, distribute and promote this policy and the consequences of any breaches of the policy
- 4.4** Promote and model appropriate standards of behaviour at all times
- 4.5** Deal with any complaints made under this policy in an appropriate manner
- 4.6** Deal with any breaches of this policy in an appropriate manner
- 4.7** Recognise and enforce any penalty imposed under this policy
- 4.8** Ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
- 4.9** Use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour.
- 4.10** Monitor and review this policy at least annually.

### 5. Individual responsibilities

Individuals bound by this policy must:

- 5.1** Make themselves aware of the contents of this policy;
- 5.2** Comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy
- 5.3** Be accountable for their behaviour: and,
- 5.4** Comply with any decisions and/or disciplinary measures imposed under this policy.

## 6. Position statements

### 6.1 Anti-discrimination and harassment

Australian Darts Legends (Inc) is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination 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.

**6.1.1 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.

The personal characteristics protected by anti-discrimination laws include attributes such as race, disability, gender and race. The full list of protected personal characteristics is in the “Definitions” set out in the Dictionary of Terms.

Discrimination can be either direct or indirect.

- **Direct** discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **Indirect** discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purposes of determining discrimination, the offender’s awareness and motive are irrelevant.

### 6.1.2 Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment is unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

### 6.1.3 Prohibition against discrimination and harassment

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the “Definitions” set out in the Dictionary of Terms *[see clause 10]*.

Any person who believes they are being, or have been, harassed or discriminated against by another person or organisation bound by this policy 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.

## **6.2 Gender identity**

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.

### **6.2.1 Gender identity discrimination and harassment**

Federal, state and territory anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity.

Australian Darts Legends (Inc) 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.

All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual.

We expect all people bound by this policy 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 policy because of their gender identity, they may make a complaint.

### **6.2.2 Participation in sport**

Australian Darts Legends (Inc) recognises that excluding people from participating in sporting events and activities because of their gender identity 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. 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.

### **6.3.3 Intersex status**

Federal anti-discrimination law, and some state and territory anti-discrimination laws, provide protection from discrimination against a person on the basis of their intersex status.

Australian Darts Legends (Inc) is committed to providing a safe, fair and inclusive sporting

environment where all people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their intersex status.

### **6.3 Responsible service and consumption of alcohol**

Australian Darts Legends (Inc) is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol. We also recommend that state associations and member clubs follow strict guidelines regarding the service and consumption of alcohol.

In general, our policy is that:

- 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.

### **6.4 Smoke-free environment**

Australian Darts Legends (Inc) 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.
- social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas; and
- volunteers and players will refrain from smoking while they are involved in an official capacity in our sport, both in and out of competition.

### **6.5 Bullying**

Australian Darts Legends (Inc) 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 sport.

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.

Whilst generally characterised by repeated behaviours, one-off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;
- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs 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. Australian Darts Legends (Inc) will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a referee, teammate, coach or sporting body 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 controlling club, league or peak sporting body.

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.

## 6.6 Social networking

Australian Darts Legends (Inc) 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. This includes social networking websites such as Facebook and Twitter.

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

In particular, social media activity including, but not limited to, postings, blogs, status updates, and tweets:

- 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; and
- should promote the sport in a positive way.

## 7. Complaints procedures

### 7.1 Handling complaints

Australian Darts Legends (Inc) aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of procedural fairness.

Any person (a complainant) may report a complaint about a person, people or organisation bound by this policy (respondent) if they feel they have been discriminated against, harassed, bullied or there has been any other breach of this policy.

In the first instance, complaints should be reported to the President or Complaints Officer.

If a complaint relates to behaviour or an incident that occurred at the:

- state level, or involves people operating at the state level, then the complaint should be reported to and handled by the relevant state association in the first instance



- club level, or involves people operating at the club level, then the complaint should be reported to and handled by the relevant club in the first instance.

*Only matters that relate to, or which occurred at, the national level, as well as serious cases referred from the state and club level, should be dealt with by the national body.*

A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the President and/or Complaints Officer should consider whether that is an appropriate way to handle the particular complaint. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our procedures for handling and resolving complaints are outlined in Attachment D1.

Individuals and organisations may also seek to have their complaint handled by an external agency under anti-discrimination, criminal or other relevant legislation.

## **7.2 Improper complaints and victimisation**

Australian Darts Legends (Inc) 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 Complaints Officer 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 Australian Darts Legends (Inc) Executive Committee for review and appropriate action, including possible disciplinary action against the complainant.

## **7.3 Mediation**

Australian Darts Legends (Inc) 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 President or the Complaints Officer 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 Attachment D2.

## **7.4 Tribunals**

In accordance with Australian Darts Legends (Inc) policy a Tribunal may be convened to hear a proceeding:

- referred to it by the President or Complaints Officer.
- referred to it or escalated by a state association because of the serious nature of the complaint, because it was unable to be resolved at the state level or because

- the policy of the state association directs it to be for an alleged breach of this policy].

Our Tribunal procedure is outlined in Attachment D4.

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 Attachment D4.

Every organisation bound by this policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

## **8. What is a breach of this policy?**

It is a breach of this policy for any person or organisation bound by this policy to do anything contrary to this policy, including but not limited to:

- 8.1** breaching the codes of behaviour
- 8.2** failing to follow Australian Darts Legends (Inc) policies (including this policy) and our procedures.
- 8.3** discriminating against, harassing or bullying (including cyber-bullying) any person;
- 8.4** victimising another person for making or supporting a complaint;
- 8.5** engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- 8.6** verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;
- 8.7** disclosing to any unauthorised person or organisation any Australian Darts Legends (Inc) information that is of a private, confidential or privileged nature;
- 8.8** making a complaint that they know to be untrue, vexatious, malicious or improper;
- 8.9** failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy.
- 8.10** failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

## **9. Disciplinary measures**

Australian Darts Legends (Inc) may impose disciplinary measures on an individual 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;
- be based on the evidence and information presented and the seriousness of the breach.
- be determined in accordance with our constituent documents, by-laws, this policy and/or the rules of the sport.

### **9.1 Individual**

Subject to contractual and employment requirements, if a finding is made by a Tribunal that an individual has breached this policy, one or more of the following forms of discipline may be imposed.

- 9.1.1 a direction that the individual makes a verbal and/or written apology;
- 9.1.2 a written warning;
- 9.1.3 a direction that the individual attend counselling to address their behaviour;
- 9.1.4 a withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by Australian Darts Legends (Inc);
- 9.1.5 a suspension of the individual's membership or participation or engagement in a role or activity;
- 9.1.6 termination of the individual's membership, appointment or engagement;
- 9.1.7 a recommendation that Australian Darts Legends (Inc) terminate the individual's membership, appointment or engagement;
- 9.1.8 a fine;
- 9.1.9 any other form of discipline that Australian Darts Legends (Inc) Executive Committee considers appropriate.

## 9.2 Organisation

If a finding is made that a Australian Darts Legends (Inc) member or affiliate association has breached its own or this Member Protection Policy, one or more of the following forms of discipline may be imposed by the Judicial Committee

- 9.2.1 a written warning;
- 9.2.2 a fine;
- 9.2.3 a direction that any rights, privileges and benefits provided to that organisation by the national body or other peak association be suspended for a specified period;
- 9.2.4 a direction that Australian Darts Legends (Inc) and other relevant peak bodies cease to sanction events held by or under the auspices of that organisation;
- 9.2.5 any other form of discipline that the national body or peak organisation considers reasonable and appropriate.

## 9.3 Factors to consider

The form of discipline to be imposed on an individual or organisation will depend on factors, such as:

- the nature and seriousness of the breach
- if the person knew, or should have known, that the behaviour was a breach of the policy
- the person's level of contrition
- the effect of the proposed disciplinary measures on the person, including any personal, professional or financial consequences
- if there have been any relevant prior warnings or disciplinary action
- any other mitigating circumstances.

## 10. Dictionary of terms

This Dictionary 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 dictionary can be sourced from the relevant State/Territory 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.

**Affiliated Association** means a kindred association or similar organisation affiliated with DA but without voting rights on the Board.

**Complaints Officer** means the person appointed under this policy to investigate a complaint.

**Discrimination** means treating or proposing to treat someone less favourably because of a particular characteristic in the same or similar circumstances in certain areas of public life (Direct Discrimination), or 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 (Indirect Discrimination).

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;
- Race;
- Religious belief/activity;
- Sex or gender;
- Social origin;

(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).

## Examples of Discrimination

- **Gender Identity:** A transgender contract worker is harassed when employees refuse to call her by her female name.
- **Homosexuality:** An athlete is ostracised from her team after it becomes known that she is a lesbian.
- **Marital Status:** A player is deliberately excluded from team activities and social functions because she is single
- **Race:** An Italian referee is not permitted to referee games with a high proportion of Italian players on one team because of his race.

- **Sex:** Specialist coaching is only offered to male players in a mixed team.

**Harassment** is any type of behaviour that the other person does not want and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and a reasonable person would recognise it as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated. Unlawful harassment is sexual or targets a person because of their race, sex, pregnancy, marital status, sexual orientation or some 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 but is usually repeated. It may be explicit or implicit, verbal or non-verbal.

Discrimination and harassment are not permitted in employment (including volunteer and unpaid employment);

when providing sporting goods and services including access to sporting 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 a breach of discrimination law to victimise a person who is involved in making a complaint of discrimination or harassment. Example: a player is ostracised by her male coach for complaining about his sexist behaviour or for supporting another player who has made such a complaint.

Public acts of racial hatred which are reasonably likely 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.

**Mediator** means an impartial/neutral person appointed to mediate Complaints.

**Member** means a member of Australian Darts Legends (Inc) namely Active Member, Affiliated Association, Life Member, Representative Member and Player Member.

**Member Protection Policy** means a person trained to be the first point of contact for a person reporting a complaint under, or a breach of, this Policy.

**Natural justice (also referred to as procedural fairness)** incorporates the following principles:

- both the Complainant and the Respondent must know the full details of what is being said against them and have the opportunity to respond;
- all relevant submissions must be considered;
- no person may judge their own case;
- the decision maker/s must be unbiased, fair and just;
- the penalties imposed must be fair.

**Police check** means a national criminal history record check conducted as a preemployment, pre-engagement or current employment background check on a person.

**This policy** means this Member Protection Policy.

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

**Role-specific codes of conduct (or behaviour)** means standards of conduct required of certain roles.

**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.

**Sexual offence** means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under state/territory legislation):

- Rape
- Indecent assault
- Sexual assault
- Assault with intent to have sexual intercourse
- Sexual offences against people with impaired mental functioning
- Abduction and detention
- Procuring sexual penetration by threats or fraud
- Bestiality
- Soliciting acts of sexual penetration or indecent acts

**Transgender** is a general term applied to individuals and behaviours that differ from the gender role commonly, but not always, assigned at birth. It does not imply any specific form of sexual orientation.

**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 such a person.

**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.

## **PART B: CODES OF BEHAVIOUR**

We seek to provide a safe, fair and inclusive environment for everyone involved in our organisation and in our sport.

To achieve this, we require certain standards of behaviour by players/players, officials, administrators, and spectators.

Our codes of behaviour are underpinned by the following core values.

- To act within the rules and spirit of our sport.
- To display respect and courtesy towards everyone involved in our sport and prevent discrimination and harassment.
- To encourage and support opportunities for participation in all aspects of our sport.

Regardless of the nature of a person's involvement in sport, *The Essence of Australian Sport* provides four guiding principles that lead to appropriate behaviour: *Fairness, Respect, Responsibility and Safety*.

- *Fairness* - operating in the spirit of the rules, never taking an unfair advantage and making informed and honourable decisions at all times.
- *Respect* - recognising the contribution people make to sport, treating them with dignity and consideration, as well as caring for the property and equipment they use.
- *Responsibility* - taking responsibility for own actions and being a positive role model at all times.
- *Safety* - encouraging healthy and safe procedures and preventing and reporting dangerous behaviour, while demonstrating concern for others.

## 1. General Code of Behaviour

As a member of Australian Darts Legends (Inc), a member association or an affiliated association or a person required to comply with Australian Darts Legends (Inc)'s Member Protection Policy, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by Australian Darts Legends (Inc), a member association or an affiliated association and in any role you hold within Australian Darts Legends (Inc), a member association or an affiliated association:

- a. Respect the rights, dignity and worth of others.
- b. Be fair, considerate and honest in all dealing with others.
- c. Be professional in, and accept responsibility for, your actions.
- d. Make a commitment to providing quality service.
- e. Be aware of, and maintain an uncompromising adherence to, Australian Darts Legends (Inc)'s standards, rules, regulations and policies.
- f. Operate within the rules of the sport including national and international guidelines which govern Australian Darts Legends (Inc), the member associations and the affiliated clubs.
- g. Do not use your involvement with Australian Darts Legends (Inc), a member association or an affiliated club to promote your own beliefs, behaviours or practices where these are inconsistent with those of Australian Darts Legends (Inc), a member association or an affiliated association.
- h. Refrain from any form of harassment of others.
- i. Refrain from any behaviour that may bring Australian Darts Legends (Inc), a member association or an affiliated association into disrepute.
- j. Provide a safe environment for the conduct of the activity.
- k. Show concern and caution towards others who may be sick or injured.

- l. Be a positive role model.
- m. Understand the repercussions if you breach, or are aware of any breaches of, this code of behaviour.

## 2. Administrator (volunteer) Code of Behaviour

In addition to Australian Darts Legends (Inc)'s General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by Australian Darts Legends (Inc), a member association or an affiliated association and in your role as a player/participant in any activity held by or under the auspices of Australian Darts Legends (Inc), a member association or an affiliated association.

- a. Be fair, considerate and honest in all dealings with others. Act honestly, in good faith and in the best interests of the sport as a whole.
- b. Be professional in and accept responsibility for your actions. Your language, presentation, manners and punctuality should reflect high standards.
- c. Resolve conflicts fairly and promptly through established procedures.
- d. Maintain strict impartiality.
- e. Be aware of your legal responsibilities.
- f. Keep up to date with the latest trends in administration and the principles of growth and development of the sport of darts
- g. Help coaches and officials highlight appropriate behaviour and skill development, and help improve the standards of coaching and officiating.
- h. Provide a Code of Conduct sheet to spectators, officials, coach's players and the media, and encourage them to follow it.
- i. Remember that you set an example. Your behaviour and comments should be positive and supportive.

## 3. Officials' Code of Behaviour

In addition to Australian Darts Legends (Inc)'s General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by Australian Darts Legends (Inc), a member association or an affiliated association and in your role as an official appointed by Australian Darts Legends (Inc), a member association or an affiliated association:

- a. Place the safety and welfare of the players/participants above all else.
- b. Accept responsibility for all actions taken.
- c. Be impartial.
- d. Avoid any situation which may lead to a conflict of interest.
- e. Be courteous, respectful and open to discussion and interaction.
- f. Value the individual in sport.
- g. Condemn unsporting behaviour and promote respect for all opponents.
- h. Encourage and promote rule changes that will make participation more enjoyable.
- i. Place the safety and welfare of the participants above all else



## 4. Player Code of Behaviour

In addition to Australian Darts Legends (Inc) ADL General Code of Conduct, you must meet the following requirements in regard to your conduct during any activity held or sanctioned by Australian Darts Legends (Inc), a member association or an affiliated association and in your role as a player/participant in any activity held by or under the auspices of Australian Darts Legends (Inc), a member association or an affiliated association.

- a. Respect the rights, dignity and worth of fellow players, coaches, official and spectators.
- b. Do not tolerate acts of aggression or abusive behaviours.
- c. Respect the talent, potential and development of fellow players and competitors. Value the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.
- d. Care for and respect the equipment provided to you as part of your program.
- e. Conduct yourself in a professional manner relating to language temper andpunctuality. Display control, tolerance and courtesy to all involved with the sport.
- f. Maintain high personal behaviour standards at all times.
- g. Abide by the rules and respect the decision of the official, making all appeals through the formal process and respective the final decision. Operate within the rules and spirit of your sport, promoting fair play over winning at any cost.
- h. Be honest in your attitude and preparation to training. Work equally hard for yourself and your team. Give your best at all times.
- i. Refrain from conduct, which could be regarded as harassment towards fellow players, and referees. Participate for your own enjoyment and benefit.
- j. Encourage opportunities for participants to learn appropriate behaviours and skills.
- k. Encourage participation in all aspects of the sport.
- l. Treat each person as an individual.
- m. Adopt appropriate behaviour in relation to the use of alcoholand recreational and performance enhancing drugs.
- n. Ensure your actions contribute to the safe environment.
- o. Ensure your actions contribute to a harassment fee environment.

## 5. Spectator Code of Behaviour

As a spectator in any activity held by or under the auspices of Australian Darts Legends (Inc), a member association or an affiliated association, you must meet the following requirements in regard to your conduct during any such activity or event:

- a. Respect the decisions of officials and teach people to do the same.
- b. Condemn the use of violence in any form, whether it is by other spectators, coaches, officials or players.
- c. Show respect for your team's opponents. Without them there would be no game.
- d. Do not use violence, harassment or abuse in any form (that is, do not use foul language, sledge or harass players, officials or other spectators).
- e. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.

- f. Applaud good performance and efforts from all players and teams. Congratulate all players' efforts of all individuals and teams.
- g. Encourage players to follow the rules and accept the official's decisions.

## **PART D: COMPLAINT HANDLING PROCEDURES**

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

We will provide individuals with an informal and informal 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.

We also provide an appeals process for those matters.

We will maintain confidentiality where possible and as provided in this policy and seek to ensure that no one is victimised for making, supporting or providing information about a complaint.

### **ATTACHMENTS**

- Attachment D1: Complaints procedure
- Attachment D2. Mediation
- Attachment D3. Investigation procedure
- Attachment D4. Tribunal procedure

## Attachment D1:

### COMPLAINTS PROCEDURE

Australian Darts Legends (Inc) is committed to supporting people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way.

**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.

We will provide **informal and formal procedures** to deal with complaints. Individuals and organisations can also make **complaints to external organisations** under anti-discrimination, child protection and other relevant laws.

### Informal approaches

#### **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 Officers 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 Member Protection Complaints are available at [www.australianlegends.com.au](http://www.australianlegends.com.au)

The Member Protection Officer 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.

#### Step 3: Decide how to address your concern

After talking with the Member Protection Officer, 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

resolve the matter through a formal process.

## Formal approaches

### Step 4: Making a formal complaint

If it is not possible or appropriate to resolve your complaint through an informal process, you may:

- make a formal complaint in writing to the President of Australian Darts Legends (Inc), or
- approach a relevant external agency, such as an anti-discrimination or equal opportunity commission, for advice and assistance.

After receiving a formal complaint, and based on the material you provide, the Australian Darts Legends (Inc) President will decide whether:

- he or she is the most appropriate person to receive and handle the complaint;
- the nature and seriousness of the complaint requires a formal resolution procedure;
- to refer the complaint to **mediation**;
- to appoint a person to **investigate** the complaint;
- to refer the complaint to a **tribunal hearing**;
- to refer the matter to the police or other appropriate authority; and/or
- to implement any interim arrangements that will apply until the complaint process is completed.

In making this decision, the President will take into account:

- whether he or she has had any personal involvement in the circumstances and if so, whether it is appropriate someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding how the complaint should be handled;
- the relationship between you and the respondent (e.g. an actual or perceived power imbalance between you and the respondent);
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the possibility that you might face further unacceptable behaviour while the complaint process is underway.

If the President is the appropriate person to handle the complaint, he or she will, where appropriate and/or necessary:

- provide the information received from you to the other person(s) involved and ask for a response;
- decide if there is enough information to determine whether the matter alleged in your complaint did or did not occur; and/or
- determine what, if any, further action to take, including referring the matter for investigation or disciplinary action in accordance with this policy.

### Step 5: Investigating the complaint

In some cases, an investigation may be required to determine the facts surrounding the complaint. Our investigations procedure is outlined in Attachment D3.

Following the investigation, a written report will be provided to the President of Australian Darts Legends (Inc).

- If the complaint is referred to **mediation**, we will follow the steps outlined in Attachment D2 or as agreed by you, the respondent and the mediator.

- If the complaint is referred to a **tribunal hearing**, the hearing will be conducted according to the steps outlined in Attachment D4.
- If the complaint is referred to the **police or another external agency**, we will endeavour to provide all reasonable assistance required by the police or the agency. Any costs incurred by us relating to the complaint process set out in this policy (e.g. investigation, mediation and/or a tribunal hearing) are to be met by Australian Darts Legends (Inc), unless otherwise stated.

#### Step 6: Reconsidering a complaint or appealing a decision

If the matter is referred to mediation and is not resolved at mediation, you may request that the President reconsider the complaint in accordance with Step 3.

The complainant or the respondent(s) may also appeal a decision made at a tribunal hearing. The grounds and process for appeals are set out in Attachment D4.

#### Step 7: Documenting the resolution

The President will record the complaint, the steps taken to resolve it and the outcome. This information will be stored in a confidential and secure place. If the complaint was dealt with at the state/district level, the information will be stored by the state association. If the matter is of a serious nature, or if it was dealt with at the national level, the information will be stored by Australian Darts Legends (Inc) and a copy stored by the state association.

## Approaching external organisations

If you feel that you have been harassed or discriminated against, you can seek advice from your state or territory anti-discrimination or equal opportunity commission. There is no obligation to make a formal complaint. However, if the commission advises you that the issues appear to be within its jurisdiction, you may choose to lodge a formal complaint with the commission.

The commission may investigate your complaint. The commission may also attempt to conciliate the complaint on a confidential basis. If this fails, or if it is not appropriate, the complaint may go to a formal hearing. The tribunal will make a finding and decide what action, if any, will be taken.

If you do lodge a complaint with the commission, an appropriate person from our organisation (e.g. an MPIO) will be available to support you during the process. You may also wish to have a legal representation, particularly if the complaint goes to a formal hearing.

**Contact details for the state and territory anti-discrimination and equal opportunity commissions** are available on the Play by the Rules website:

<http://www.playbytherules.net.au/resources/quick-reference-guide>.

Serious incidents, such as assault or sexual assault, should be reported to the police.

## Attachment D2:

### **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. The President will appoint an appropriate mediator to help resolve the complaint. This will be done under the direction of Australian Darts Legends (Inc) and 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 Australian Darts Legends (Inc) 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.
5. If the complaint is not resolved by mediation, the complainant may:
  - write to President to request that the complaint be reconsidered; and
  - approach any relevant external agency, such as an anti-discrimination or equal opportunity commission, to resolve the matter.

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 matters that involve serious allegations.

## Attachment D3:

### 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.

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.

1. We will provide a written brief to the investigator that sets out the terms of engagement and his or her roles and responsibilities.
2. 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 President documenting the complaint, the investigation process, the evidence,) and, if requested, any findings and recommendations.
3. 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.
4. The complainant and the respondent(s) will be entitled to support throughout this process from their chosen support person or adviser (e.g. complaints officer).



## Attachment D4:

### **TRIBUNAL PROCEDURES**

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

#### 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 has been referred to it by the Complaints Officer.
2. The number of Tribunal panel members required to be present throughout the hearing will be three persons with deputies as outlined in the Constitution.
3. The Tribunal panel members will be provided with a copy of all the relevant correspondence, reports or information received and sent by the Complaints Officer 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 Secretary on instruction from the President of Australian Darts Legends (Inc) 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.. 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).
  - The respondent(s) will be allowed to participate in all Australian Darts Legends (Inc) activities and events pending the decision of the Tribunal.
6. The Secretary of Australian Darts Legends (Inc) 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.. 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 Secretary 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). **Tribunal hearing procedure**
9. 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;
10. 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.
11. 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.
12. If the Tribunal chairperson wishes to reschedule the Tribunal hearing date, the Tribunal chairperson will inform the President of the need to reschedule the hearing and the Secretary will arrange for the Tribunal to be reconvened.
13. 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.
14. 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.
15. 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.
16. 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.
17. 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.

18. 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.
19. 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.
20. 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.
21. 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.
22. All Tribunal decisions will be by majority vote.
23. 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.
24. The respondent(s) will have the opportunity to make submissions to the Tribunal in relation to any sanctions that may be imposed.
25. Within 48 hours of the Tribunal delivering its decision, the Tribunal chairperson will:
  - forward a notice of the Tribunal's decision to the Secretary, 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.
26. The Tribunal does not need to provide written reasons for its decision.

## Appeals procedure

27. A complainant or a respondent(s) may lodge with Australian Darts Legends (Inc) an appeal in relation to the decision of a Tribunal on one or more of the following grounds:
  - 26.1 that a denial of procedural fairness has occurred;
  - 26.2 that the sanction imposed is unjust and/or unreasonable;
  - 26.3 that the decision was not supported by the information/evidence provided at the mediation or to the Tribunal Hearing;
28. A person wanting to appeal must lodge a letter setting out the basis for their appeal with the Secretary within 14 business days of the decision being made.
29. If the letter of appeal is not received by the Secretary within this time, the right of appeal will lapse.

30. The letter of appeal and the notice of the Tribunal's decision (clause 24) will be forwarded to the Appeals Committee to review and to decide whether there are sufficient grounds for the appeal to proceed. The Appeals Committee may invite any witnesses to the meeting that he or she believes are required to make an informed decision.
31. 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.
32. If the appeal is accepted, an Appeal Tribunal with new panel members will be convened to rehear the complaint.
33. The Tribunal hearing procedure shall be followed for the Appeal Tribunal. 34. The decision of the Appeal Tribunal will be final and binding.

## PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS

We will ensure that all the complaints we receive, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint.

This information, and any additional records and notes, will be treated confidentially (subject to disclosure required by law or permitted under this policy) and stored in a secure place.

### ATTACHMENTS

- Attachment E1: Record of informal complaint
- Attachment E2: Record of formal complaint
- Attachment E3: Record of Mediation
- Attachment E4: Record of Tribunal Decision

**ATTACHMENT E1:  
RECORD OF INFORMAL COMPLAINT**

Name of person receiving complaint		Date:     /     /
Complainant's Name		
Role/status	<input type="checkbox"/> Administrator <input type="checkbox"/> Player <input type="checkbox"/> Personnel/Employee <input type="checkbox"/> Other <input type="checkbox"/> Official <input type="checkbox"/> .....	
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? )		
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 President or Secretary of Australian Darts Legends (Inc).

Attachment E2:

**RECORD OF FORMAL COMPLAINT**

Complainant's Name		Date Formal Complaint Received: / /
Complainant's contact details	Phone: Email:	
Complainant's role/position	Administrator (volunteer) Player Personnel/Employee Other Official .....	
Name of person complained about (respondent)		
Respondent's role/position	..... <input type="checkbox"/>	
Location/event of alleged incident		
Description of alleged incident		

Nature of complaint (category/basis/grounds)	
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	Less than 3 months to resolve Between 3 – 8 months to resolve More than 8 months to resolve
Completed by	Name: Position: Signature: <span style="float: right;">Date / /</span>
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 Australian Darts Legends (Inc) and a copy kept with the organisation where the complaint was first made.

Attachment E3:

**RECORD OF MEDIATION**

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Present at Mediation	
Date: / /	Venue:
Mediator	

Attachment E4:

**RECORD OF TRIBUNAL DECISION**

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Complainant's Name		Date Formal Complaint Received: / /
Complainant's role/position	<input type="checkbox"/>	
Name of person complained about (respondent)		
Respondent's role/position	<input type="checkbox"/>	
Location/event of alleged incident		
Description of alleged incident		
Nature of complaint (category/basis/grounds)		

Methods (if any) of attempted informal resolution	
Support person (if any)	
Tribunal Members:	
Tribunal Hearing Date / /	Venue:
Tribunal Decision (attach report)	
Action recommended and any follow up report required	
Decision appealed Yes / No	Date of Appeal lodged: / /
Appeal Hearing Date	/ /
<b>Appeal Decision</b> (attach report)	
Completed by:	Name: Position: Signature: / Date /
Signed by:	Complainant: Respondent: