

Jin Sei Ryu Karate-Do Australia
STUDENT PROTECTION POLICY V3.0
25 September 2019)

IMPORTANT NOTES:

1. This Policy Document covers the members of Jin Sei Ryu Karate-Do Australia and its Affiliated Branches.
 - a. This version of the Document can be used as a guideline for use immediately;
 - b. Other Branches (ie dojos and clubs) of Jin Sei Ryu Karate-Do Australia may refer to this document and adapt for themselves;
 - c. We are asking for feedback by **25 November 2019** for consideration and inclusion in the next version of the document.
2. It is assumed that each branch (ie dojo or club) will have their own student protection policies and complaint handling procedures that are consistent with Australian legal requirements. This Document will be used as an operating framework in the event that there are Jin Sei Ryu Karate-Do Australia cross-branch complaints, and the Branches are unable to agree upon an approach to resolve a complaint.
3. To ensure this policy and other policies are implemented and understood by Jin Sei Ryu Karate-Do Australia instructors, students, parents, and other relevant persons, as soon as possible please take steps at your local dojo to include an acknowledgement as part of a student application or agreement with Jin Sei Ryu Karate-Do Australia, which relevant students and other persons intended to come within the scope of this policy are required to sign.
4. Please also ensure you have:
 - Provided a copy of your local procedures to Jin Sei Ryu Karate-Do Australia, if established; and
 - You have advised Jin Sei Ryu Karate-Do Australia of your nominated local contact people who can manage complaints, if these have been appointed.
5. Beginning January 2020, Jin Sei Ryu Karate-Do Australia will:
 - a. Release its Student Protection Policy and Complaints Handling Procedure to all members;
 - b. Complete training and a certification process for all Branch Instructors for Child Safety and Sensitivity Management.
 - c. Nominate a certified Complaints Handler / Student Protection Information Officer who will complete additional training.
 - d. Complete the Annual Branch Re-Certification Reports which will include proof of:
 - i. Working with Children Checks, and
 - ii. Training and Certifications

Throughout 2020, these compliance measures will eventually be rolled out to all Jin Sei Ryu Karate-Do Australia Branches.

Please note that establishing clear student protection processes will ensure compliance with the Jin Sei Ryu Karate-Do International Organization Branch Licensing Agreement which all Branch Head Instructors for Jin Sei Ryu Karate-Do Australia branches are required to sign in order to teach the Jin Sei Ryu syllabus and use the Jin Sei Ryu brand and trademark in

CONTENTS	PAGE
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POLICY

- 1. Introduction
- 2. Purpose of Our Policy
- 3. Who Our Policy Applies To
- 4. Extent of Our Policy
- 5. Branch Responsibilities
- 6. Individual Responsibilities
- 7. Protection of Children
 - 7.1 Child Protection
 - 7.2 *Supervision*
 - 7.3 *Transportation*
 - 7.4 Taking Images of Children
- 8. Discrimination, Harassment and Bullying
 - 8.1 Discrimination
 - 8.2 Harassment
 - 8.3 Bullying
- 9. *Inclusive Practices*
 - 9.1 *People with a Disability*
 - 9.2 *People from Diverse Cultures*
 - 9.3 *Sexual & Gender Identity*
 - 9.4 *Pregnancy*
 - 9.5 *Girls playing in boys teams*
- 10. Responding to Complaints
 - 10.1 Complaints
 - 10.2 Complaint Handling Process
 - 10.3 Disciplinary Measures
 - 10.4 Appeals

Attachment 1: Complaint Handling Procedures

Attachment 2: Working with Children Checks Requirements

Attachment 3: Procedure for Handling Allegations of Child Abuse

JIN SEI RYU KARATE-DO AUSTRALIA AUSTRALIA - STUDENT PROTECTION POLICY

1. Introduction

Jin Sei Ryu Karate-Do is a traditional Japanese style of karate that has two goals: to maximize each student's physical skills and to cultivate individuals of the highest moral character who can make significant contributions to their family life, the workplace, and to society at large. In this manner, traditional karate is a way of life and being.

2. Purpose of Our Policy

The main objective of Jin Sei Ryu Karate-Do Australia and our Affiliated Branches ("Jin Sei Ryu Karate-Do Australia", "Branch", "our", "us" or "we") Student Protection Policy ("policy") is to maintain responsible behaviour and the making of informed decisions by students and other participants in this branch. It outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from discrimination, harassment and abuse. Our policy informs everyone involved in our branch of his or her legal and ethical rights and responsibilities and the standards of behaviour that are expected of them. It also covers the care and protection of children participating in our branch's activities.

3. Who Our Policy Applies To

This policy applies to everyone involved in the activities of our branch (Jin Sei Ryu Karate-Do Australia) whether they are in a paid or unpaid/voluntary capacity and including:

- branch head instructors, branch administrators, committee members, and other branch officials;
- branch instructors, assistant instructors, and other personnel participating in official Jin Sei Ryu events and activities, including camps, tournaments, seminars or social events;
- support personnel, including front desk staff, team managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- referees, judges, and other tournament officials or organisers;
- students, including any inactive students returning for an official event;
- parents, siblings and other extended family members; and
- spectators

4. Extent of Our Policy

Our policy covers all matters directly and indirectly related to Jin Sei Ryu Karate-Do Australia and its activities. In particular, the policy governs unfair training actions and practices, breaches of our code of behaviour and behaviour that occurs at training sessions, in the locker rooms, at social events organised or sanctioned by the branch (or at regional, national or international events), and on trips away from the Branch. It also covers private behaviour where that behaviour brings the Branch or Jin Sei Ryu Karate-Do into disrepute or there is suspicion of harm towards a child or young person.

The policy also includes a number of process for responding to concerns about activities or behaviours in other Jin Sei Ryu dojos in Australia, in some circumstances as outlined in this policy.

5. Branch Roles

In Jin Sei Ryu Karate-Do Australia, we have the following structure to ensure that a person's right to be treated with respect and dignity, and to be safe and protected from discrimination, harassment and abuse.

- **Branch Head Instructor:** the person who represents the dojo or club at all official events and is the initial point of communication with the National Headquarters. This person is usually the final decision-maker with regards to complaints that arise within Jin Sei Ryu Karate-Do Australia, unless they have specifically delegated this responsibility to another person.

- **Student Protection Information Officers (SPIO):** The SPIO is the first point of call in a club or sporting dojo or club for any enquiries, concerns or complaints around harassment and abuse under the Student Protection Policy. An SPIO provides information and moral support to the person with the concern. They also act as a sounding board and provide information about local complaint resolution options available to address the individual's concern. SPIOs will **handle complaints received**, or otherwise assist with the resolution of issues, including making recommendations to the Branch Head Instructors about what action to take in relation to an student safety incident or complaint.

6. Branch Responsibilities

Senior students and black belts acting for Jin Sei Ryu Karate-Do Australia agree to take reasonable steps to:

- implement and comply with this policy;
- ensure that this policy is enforceable;
- publish, distribute and promote this policy and the consequences of any breaches of this policy;
- promote and model appropriate standards of behaviour at all times;
- deal with any complaints made under this policy in an appropriate manner;
- deal with any breaches of this policy in an appropriate manner;
- recognise and enforce any penalty imposed under this policy;
- ensure that a copy of this policy is available or accessible to all students, parents and Branches to whom this policy applies;
- review this policy every 12 months; and
- seek advice from and refer serious issues to the National Branch Head (or delegated decision-maker).

Serious issues include unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse) and any other issues that our National Headquarters request to be referred to them.

7. Individual Responsibilities

Everyone associated with our branch will take reasonable steps to:

- make themselves aware of the contents of this policy;
- comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- consent to the screening requirements set out in this policy, and any state or territory Working with Children (or equivalent) checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18, or where otherwise required by law;
- treat other people with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour; and
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment, bullying or other inappropriate behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this policy.

8. Protection of Children

8.1 Child Protection

Jin Sei Ryu Karate-Do Australia is committed to the safety and wellbeing of children and young people who participate in our branch's activities or use our services. We support the rights of the child and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

Jin Sei Ryu Karate-Do Australia acknowledges the valuable contribution made by our staff, students and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

8.1.1: Identifying and Analysing Risks of Harm

Jin Sei Ryu Karate-Do Australia will develop and implement a risk management strategy, which includes a review of our existing child protection practices, to determine how child-safe our dojo or club is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the action of an employee, volunteer or another person.

8.1.2: Developing Codes of Conduct for Adults and Children

We will develop and promote a code of conduct that specifies standards of conduct and care we expect of adults when they deal and interact with children, particularly those in our care.

We will also implement a code of conduct to promote appropriate behaviour between children.

The codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour.

8.1.3: Choosing Suitable Employees and Volunteers

Jin Sei Ryu Karate-Do Australia will ensure that the dojo or club takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

Jin Sei Ryu Karate-Do Australia will ensure that Working with Children Checks (or equivalent) and criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law. If a criminal history report is obtained as part of the screening process, Jin Sei Ryu Karate-Do Australia will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements.

8.1.4: Support, Train, Supervise and Enhance Performance

Jin Sei Ryu Karate-Do Australia will ensure that all our employees and volunteers who work with children have ongoing supervision; support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment in our branch.

8.1.5: Empower and Promote the Participation of Children in Decision-Making and Service Development

Jin Sei Ryu Karate-Do Australia will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our branch.

8.1.6: Report and Respond Appropriately to Suspected Abuse and Neglect

Jin Sei Ryu Karate-Do Australia will ensure that employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable ground that a child has been, or is being, abused or neglected.

In addition to any legal obligations, if any person believes that another person from another dojo or club bound by this policy is acting inappropriately towards a child or is in breach of this policy they may make an internal complaint.

Please refer to our complaints procedure in Attachment 1 this policy. Any person who believes a child is in immediate danger or in a life threatening situation, should contact the police immediately.

8.2 Supervision

Jin Sei Ryu Karate-Do Australia will take reasonable steps to ensure that children under the age of 16 are supervised at all times by a responsible adult. We will endeavour to provide an appropriate level of supervision at all times. If an instructor, assistant instructor or staff member finds that a child under the age of 16 is unsupervised, they should assume responsibility for the child's safety until the child's parent/guardian or supervisor is located.

For reasons of courtesy and safety, parents will take reasonable steps to collect their children on time. If it appears an instructor, assistant instructor or staff member will be left alone with just one child at the end of any branch activity, they will ask another person to stay until the child is collected.

8.3 Transportation

Parents and or guardians are responsible for organising the transportation of their children to and from branch activities (e.g. training and special events). Where we make arrangements for the transportation of children (e.g. for special events such as camps or tournaments), we will conduct a risk assessment that includes ensuring vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and the appropriate safety measures are in place (e.g. fitted working seatbelts)]. We will further ensure that Guardianship Forms are completed ahead of these special events to ensure that an adult is responsible for their child(ren).

8.4 Taking Images of Children

Images of children can be used inappropriately or illegally. We require that students, wherever possible, obtain permission from a child's parent or guardian before taking an image of a child that is not their own. We will also make sure that the parent or guardian understands how the image will be used. These permissions are covered in Jin Sei Ryu Karate-Do Australia's applications for registration and participation in special events.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are used in connection with our branch.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent or guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child.

We will only use images of children that are relevant to our branch's activities and we will ensure that they are suitably clothed in a manner that promotes our branch. We will seek permission from a child's parent or guardian before using their images. These permissions are also covered in Jin Sei Ryu Karate-Do Australia's applications for registration and participation in special events.

9. Discrimination, Harassment and Bullying

Jin Sei Ryu Karate-Do Australia is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination, harassment and bullying.

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

9.1 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.

Discrimination includes both direct and indirect discrimination:

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

For the purpose of determining discrimination, the offender's awareness and motive are irrelevant.

9.2 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.

Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of all the personal characteristics that apply throughout Australia:

- gender;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- national extraction or social origin;
- marital status, relationship status, identity of spouse or domestic partner;
- pregnancy, potential pregnancy, breastfeeding;
- family or carer responsibilities, status as a parent or carer;
- age;
- religion, religious beliefs or activities;
- political beliefs, affiliations or activities;
- lawful sexual activity;
- sexual orientation and gender identity;
- profession, trade, occupation or calling;
- irrelevant criminal record, spent convictions;
- irrelevant medical record;
- student of association or dojo or club of employees or employers, industrial activity, trade union activity;
- physical features;
- disability, mental or physical impairment;
- defence service; and
- personal association with someone who has, or is assumed to have, any of these personal characteristics.

Legislation also prohibits:

- racial, religious, homosexual, transgender and HIV/AIDS vilification; and
- victimisation resulting from a complaint.

9.3 Sexual Harrassment

Sexual harassment is one type of harassment. The *Sex Discrimination Act* (SDA) (1984) makes sexual harassment unlawful.

Sexual harassment is unwelcome conduct of a sexual nature in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the other person would be offended, humiliated or intimidated.

Sexual harassment 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.

Behaviour need not be repeated or continuous to constitute sexual harassment, a single incident or comment can amount to harassment.

Each of the states and territories has legislation prohibiting sexual harassment. The state and territory legislation is very similar to the federal legislation. However, the precise definition of sexual harassment can vary from state to state and from the definition in the SDA.

Examples of sexual harassment may include:

- a spectator making inappropriate and unwanted sexual comments towards an instructor;
- a judge or referee staring or leering at a competitor;
- a Branch instructor asking players intrusive questions about sexual activity;
- a black belt 'wolf whistling' or making sexual gestures towards another student;
- a student making repeated sexual invitations towards another student when the person invited has refused similar invitations before; and
- a Branch publishing a sexist joke (or sexually explicit images) on its website.

A friendship or consensual relationship of a sexual nature does not constitute sexual harassment, providing the interaction is consensual, welcome and reciprocated. However, some consensual personal relationships can be problematic because of the potential for a conflict of interest. Issues may arise when power and/or authority is used inappropriately.

9.4 Bullying

Jin Sei Ryu Karate-Do Australia is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable at our branch.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or group.

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

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

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

Bullying includes cyber-bullying which occurs 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. We will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

If any person believes they are being, or have been, bullied by another person or dojo or club bound by this policy, he or she may make a complaint. (Refer to Section 11 of this policy.)

10. Inclusive Practices

Jin Sei Ryu Karate-Do Australia is welcoming and we will seek to include students from all areas of our community. The following are examples of some of our inclusive practices.

10.1 People with a disability

Jin Sei Ryu Karate-Do Australia will not discriminate against any person because they have a disability. Where it is necessary, we will make reasonable adjustments (e.g. modifications to equipment and rules) to enable participation.

10.2 People from diverse cultures and religions

We will support, respect and encourage people from diverse cultures and religions to participate in our branch and where possible we will accommodate requests for flexibility (e.g. modifications to uniforms).

10.3 Sexual & Gender Identity

All people, regardless of their sexuality or gender identity, are welcome at our Branch. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.

10.4 Pregnancy

Jin Sei Ryu Karate-Do Australia is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our branch's activities. We will not tolerate any discrimination or harassment against pregnant women.

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

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with Jin Sei Ryu Karate-Do Australia. We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person bound by this policy, she may make a complaint (see Section 11).

10.5 Political beliefs, party affiliation or activities

Jin Sei Ryu Karate-Do Australia allows students to train in a safe and welcoming environment regardless of their political views or party affiliations. We only ask that political views and opinions are not discussed on the dojo floor in a manner that might offend fellow students.

10.6 Women and Girls participating in Jin Sei Ryu Karate-Do Australia activities

In any event or competition, if there is no specified division by gender, Jin Sei Ryu Karate-Do Australia supports the participation of women and girls with men and boys in all Jin Sei Ryu Karate-Do Australia activities.

We note that Federal anti-discrimination laws provide that it is not unlawful to discriminate on grounds of sex by excluding persons from participation in any competitive sporting activity in which the strength, stamina or physique of competitors is relevant.

11. Responding to Complaints

11.1 Complaints

Jin Sei Ryu Karate-Do Australia takes all complaints about behaviour seriously in and outside the dojo. Our branch will handle complaints using the **Jin Sei Ryu Karate-Do Australia Complaints Handling and Resolution Procedures**. The Complaints Handling and Resolution Process is based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously;
- all complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint;
- the person subject to the complaint (respondent) will generally be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and
- any penalties imposed will be reasonable.

In summary, key aspects of the complaint handling process include:

- Local contacts with appropriate training or experience (referred to as Student Protection and Information Officers, or SPIOs) are available to provide advice to students, and to receive and manage complaints;
- Students are supported to resolve concerns themselves in a direct but safe way wherever appropriate;
- Both informal and formal internal processes for resolving complaints are available to students, with clear steps in each case;
- Decisions about actions to be taken to respond to an incident or complaint will be made by Branch Heads. If another person such as an SPIO is managing or investigating a complaint, they will provide a recommendation to the Branch Head about possible actions;
- An appeal process is available for students to the Head of Jin Sei Ryu Australia; and
- Students who don't wish to progress an internal process can get advice and may make a complaint to external human rights bodies such as the Australian Human Rights Commission or State Anti-Discrimination Bodies. Jin Sei Ryu Karate-Do Australia will cooperate with external complaints processes.

Please refer to Attachment 1: Complaint Handling Procedures

Attachment 1: COMPLAINT HANDLING PROCEDURES

[Note: this document is a working document that can be used as an operating framework going forward. This document will supercede any existing complaints resolution procedures previously developed. Further, this is a consultative document used to solicit feedback from other Jin Sei Ryu Karate-Do Australia Branches. Feedback received by 14 November 2018 will be considered for inclusion in the next version.]

Section 1: COMPLAINTS PROCEDURE

All complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

If you wish to remain anonymous, the Complaints Handler may have difficulty assisting you to resolve your complaint. Procedural fairness (natural justice) means that the Complaints Handler is required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond.

Individuals may also pursue their complaint externally under anti-discrimination, child protection or other relevant legislation. In NSW, external organisations who can provide advice and can assist with the resolution of complaints are primarily the Australian Human Rights Commission and the NSW Anti-Discrimination Board.

Note: The complaints handling procedures in place for Jin Sei Ryu Karate-Do Australia do not have a time restriction in relation to historic incidents. We will make all reasonable attempts to follow our standard complaint handling procedures, but investigations of this nature may be challenging. If you are considering a complaint relating to a historical incident, you are encouraged to contact your local anti-discrimination commission or body directly.

ESCALATION SUMMARY

1. Jin Sei Ryu Karate-Do Australia will make all attempts to resolve complaints internally through informal and formal processes. They will refer to these procedures and, if required, solicit guidance from their branch-nominated or regional Student Protection Information Officer (SPIO).
2. If the complaint is not resolved or an escalation is requested, the complaint may be referred to the National Branch Head (or delegated decision-maker), who will conduct its own independent investigation per these procedures.
3. The decision of the National Branch Head (or delegated decision-maker) is final.
4. If the Respondent of a complaint is the Branch Head Instructor or National Branch Head, the investigation and final decision-making responsibility will be delegated to a National SPIO.
5. At any time during the complaint resolution process, or if the complainant is not satisfied with the findings of the final formal and internal investigation, the complainant may pursue their complaint externally under anti-discrimination, child protection or other relevant legislation.
6. In the event that a Complainant or Respondent is a student of Jin Sei Ryu Karate-Do Australia and relates to a cross-border complaint involving an overseas Branch, this document will be used as a guideline for resolving the complaint, keeping in mind that the overseas Branch may have different complaint handling process and procedure.

INFORMAL APPROACHES

Step 1: Talk with the other person (where this is reasonable and appropriate)

In the first instance, you (the Complainant) should try to sort out the problem with the person or people involved (Respondent) if you feel able to do so. Where it is safe and appropriate to do so, students are encouraged to have direct communication with the person exhibiting the behaviour to explain why a behaviour may be disrespectful or upsetting.

When working within this framework, we recommend individuals involved document their conversations in case further action becomes necessary.

Step 2: Contact a Student Protection Information Officer (SPIO)

Talk with one of our designated Student Protection Information Officers (SPIOs) if:

- the first step is not possible/reasonable;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially about the problem with someone and obtain more information about what you can do; or
- the problem continues after you tried to approach the person or people involved.

The SPIO will:

- take confidential notes about your complaint;
- try to find out the facts of the problem;
- ask what outcome/how you want the problem resolved and if you need support;
- provide possible options for you to resolve the problem;
- act as a support person if you so wish;
- refer you to another appropriate person to help you resolve the problem, if necessary;
- inform the relevant government authorities and/or police if required by law to do so;
- maintain confidentiality;
- notify the National Branch Head that a complaint at the Branch has been raised.

Our designated SPIOs for Jin Sei Ryu Karate-Do Australia are:

Branch	Branch Head	Student Protection Information Officer
National	So-Shihan Ino Maquirang	Senpai Anthony Borgese
National	Shihan Clive Davidson	Senpai Sylvie Ellsmore (NSW)

Support people

Complainants and respondents have the right to support people, for example a friend or other student to attend meetings with them in relation to complaints.

Step 3: Outcomes from initial contact

After talking with the SPIO, you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;
- to try and work out your own resolution (with or without a support person such as a SPIO; or
- to seek a mediated resolution with the help of a third person (such as Branch Head Instructor); or
- to seek a formal approach.

FORMAL APPROACHES

Step 4: Making a Formal complaint

If your complaint is not resolved or informal approaches are not appropriate or possible, you may:

- make a formal complaint in writing to an SPIO; and/ or
- approach a relevant external agency such as an anti-discrimination commission, for advice.

On receiving a formal complaint and based on the material you have provided, the SPIO will decide whether:

- they are the most appropriate person to receive and handle the complaint;
- the nature and seriousness of the complaint warrants a formal resolution procedure;
- to recommend an alternative dispute resolution approach such as mediation;

- to investigate themselves, or recommend to the Branch Head the appointment of a separate person to **investigate** (gather more information on) the complaint;
- to refer the complaint to the Branch Head Instructor / Complaint Handler;
- to notify the National Branch Head that a complaint at the Branch has been raised; and/ or
- to refer the matter to the police or other appropriate authority.

In making the decision(s) outlined above, the SPIO will take into account:

- whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- the relationship between you and the respondent (for example 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 will be subject to further unacceptable behaviour while the complaint process is underway.

If the SPIO is the appropriate person to handle the complaint they will, to the extent that these steps are necessary:

- put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story;
- decide if they have enough information to determine whether the matter alleged in your complaint did or didn't happen; and/or
- recommend to the Branch Head Instructor what, if any, further action to take. This action may include disciplinary action in accordance with this policy.

All efforts will be made to carry out any inquiries as quickly and comprehensively as possible, and to keep all affected persons updated regularly.

Step 6: Recommending an outcome

As noted above, the SPIO or other person appointed, will recommend an outcome to the Branch Head.

This action may include disciplinary action in accordance with this policy. It could also include: a formal apology by one student to another; training to be undertaken; restrictions to a teacher or student's activities at the dojo; temporary suspension of a person's membership; or closing the complaint without further action.

Step 6: Documenting the process

The SPIO will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place. If the complaint was dealt with at a branch level, the information will be stored in the branch 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 document will be stored at the national office with a copy stored at the branch office.

Step 7: Reconsideration or escalation of an initial outcome/investigation

If, under the formal complaint process, you are not satisfied with the outcome of the initial resolution process, you may request that the National Branch Head reconsider the complaint. You or the respondent(s) may be entitled to escalate a decision at the Branch level.

EXTERNAL APPROACHES

There are a range of other options available depending on the nature of your complaint. If you feel that you have been harassed or discriminated against, you can seek advice from your State or Territory anti-

discrimination commission without being obliged to make a formal complaint. If the commission advises you that the problem appears to be harassment within its jurisdiction, you may lodge a formal complaint with the commission.

You can contact anti-discrimination bodies for advice or to make a complaint at any time. In the event that an anti-discrimination body decides to assist with your complaint, the Branch Head may determine that it is appropriate to put any internal Jin Sei Ryu complaints process on hold, pending the completion of the external process.

ISSUES WITH STUDENTS FROM DIFFERENT AUSTRALIAN DOJOS

In the event that a Complainant or Respondent is a student of Jin Sei Ryu Karate-Do Australia and relates to a cross-border complaint involving an overseas Branch, this document will be used as a guideline for resolving the complaint, keeping in mind that the overseas Branch may have different complaint handling processes and procedures.

CONFLICT OF INTEREST

Conflicts of interest may arise when a person handling a complaint or making a decision about a complaint under this policy is a complainant or respondent to a complaint.

A conflict of interest may also exist where one of the persons handling or making a decision about a complaint under this policy has a family or close personal friendship, or an employment or financial interest, in relation to the complainant or respondent, or to one of the key people involved, such as a witness.

SPIOs are required to refer complaints for which they have a conflict to another SPIO, and advise the Branch Head they have done so.

Branch Heads who have a conflict are required to delegate to another senior member of their branch the responsibility for making decisions in response to a complaint.

Branch heads are required to immediately inform the Australian Branch Head if they become aware of a complaint for which they have a conflict of interest.

Attachment 2: WORKING WITH CHILDREN CHECK REQUIREMENTS

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- criminal history checks;
- signed declarations;
- referee checks; and
- other relevant background checks to assess a person's suitability to work with children and young people.

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

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

Australian Capital Territory

Contact the Office of Regulatory Services

Website: www.ors.act.gov.au/community/working_with_vulnerable_people_wvvp

Phone: 02 6207 3000

New South Wales

Contact the Office of the Children's Guardian

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

Phone: 02 9286 7276

Northern Territory

Contact the Northern Territory Screening Authority

Website: www.workingwithchildren.nt.gov.au

Phone: 1800 SAFE NT (1800 723 368)

Queensland

Contact the Queensland Government Blue Card Services

Website: www.bluecard.qld.gov.au

Phone: 1800 113 611

South Australia

Contact the Department for Education and Child Development

Website: www.families.sa.gov.au/childsafes

Phone : 08 8463 6468.

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

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

Tasmania

Contact the Department of Justice

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

Phone: 1300 13 55 13

Victoria

Contact the Department of Justice

Website: www.workingwithchildren.vic.gov.au

Phone: 1300 652 879

Western Australia

Contact the Department for Child Protection

Website: www.checkwwc.wa.gov.au

Phone: 1800 883 979

Attachment 3: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE

If you believe a child is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

All people working with Jin Sei Ryu Karate-Do Australia in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

If a child or young person raises with you an allegation of child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

Do	Don't
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child that what has occurred is not his or her fault	Do not seek detailed information, ask leading questions or offer an opinion.
Explain that other people may need to be told in order to stop what is happening.	Do not discuss the details with any person other than those detailed in these procedures.
Promptly and accurately record the discussion in writing.	Do not contact the alleged offender.

Step 2: Report the allegation

- Immediately report any allegation of child abuse or neglect, or any situation involving a child at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.
- If the allegation involves a person to whom this policy applies, then also report the allegation to the National Branch Head so that he/she can manage the situation at a National level.

Step 3: Protect the child and manage the situation

The Branch Head Instructor of Jin Sei Ryu Karate-Do Australia, with legal advice, will:

- assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded.
- consider what services may be most appropriate to support the child and his or her parent/s.
- consider what support services may be appropriate for the alleged offender.
- seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

- At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)

- a child protection investigation (conducted by the relevant child protection agency)
- a disciplinary or misconduct inquiry/investigation (conducted by Jin Sei Ryu Karate-Do Australia).
- The Branch Head Instructor of Jin Sei Ryu Karate-Do Australia, in consultation with the National Branch Head will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in *[Clause 10]* of our Student Protection Policy.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take.

Contact details for advice or to report an allegation of child abuse

Australian Capital Territory	
ACT Police Non-urgent police assistance Ph: 131 444 www.afp.gov.au	Office for Children, Youth and Family Services http://www.communityservices.act.gov.au/ocyfs/reporting-child-abuse-and-neglect Ph: 1300 556 729
New South Wales	
New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au	Department of Family and Community Services www.community.nsw.gov.au Ph: 132 111
Northern Territory	
Northern Territory Police Non-urgent police assistance Ph: 131 444 www.pfes.nt.gov.au	Department of Children and Families www.childrenandfamilies.nt.gov.au Ph: 1800 700 250
Queensland	
Queensland Police Non-urgent police assistance Ph: 131 444 www.police.qld.gov.au	Department of Communities, Child Safety and Disability Services www.communities.qld.gov.au/childsafety Ph: 1800 811 810
South Australia	
South Australia Police Non-urgent police assistance Ph: 131 444 www.sapolice.sa.gov.au	Department for Education and Child Development www.families.sa.gov.au/childsafes Ph: 131 478
Tasmania	
Tasmania Police Non-urgent police assistance Ph: 131 444 www.police.tas.gov.au	Department of Health and Human Services www.dhhs.tas.gov.au/children Ph: 1300 737 639
Victoria	
Victoria Police Non-urgent police assistance Ph: (03) 9247 6666 www.police.vic.gov.au	Department of Human Services www.dhs.vic.gov.au Ph: 131 278
Western Australia	