

VICTORIAN WEIGHTLIFTING ASSOCIATION

SCREENING POLICY

PROCEDURES RELATING TO THE SCREENING OF COACHES/MANAGERS/OFFICIALS.

These rules have been created to protect all Victorian Weightlifting Association (VWA) individual members from all forms of physical or mental violence, injury, exploitation and abuse (including sexual abuse) while participating in activities conducted under the care of any VWA Coach, Manager or Official.

The following is a list of persons who must complete the screening procedures:

VWA Management Committee Members	o
VWA Employees	o
Team Managers	o
Team Coaches	o
Team Officials	o
Club Coaches	o
Club Administrators	o

Other positions that must complete the documents include:

All coaches, managers, officials and chaperones involved in a live in situation o

NOTE: This list is in no way limited to the above categories. Any member involved in the instruction, management, officiating and/or coaching of any member/s should complete the screening process.

To the best endeavours of the Executive Director and all parties involved in the following procedures and processes, any information or actions relating to such issues shall remain confidential.

Victoria Weightlifting Association shall require each of the above listed persons ('the person') to submit to a criminal history check (police check) by properly completing and providing for submitting to the Victoria Police "*Consent to Check and Release National Police Record*"

- a) The persons include all Club and State personnel involved in any instruction, management, officiating and/or coaching of any member/s.
- b) Where possible, the screening documentation is to be completed in full within one month of the member's probationary appointment to the identified position. Upon receipt of their documentation the person will be appointed to the position.
- c) All identified members will be required to complete the screening policy requirements every two (2) years from the date of the initial check. This process will be closely monitored by the VWA.
- d) Persons who currently hold certain occupational positions (such as those listed below) may have already completed a police check. Should the member be able to show appropriate proof that a satisfactory police check has been conducted within the last 2

years, then the VWA Executive Director may give approval for the member to be recognised as satisfactorily completing the VWA Screening Policy requirements.

Occupations or positions that may have completed police checks include:

- Justice of the Peace – Proof of Registration required
- Commissioner for Declaration – Proof of Registration required
- Current registered and employed teachers
- Current Police Officers
- Persons who hold a Security Providers License
- Protective Services Employees
- Corrective Services Employees

NOTE: The above list is in no way limited to the above occupations and/or positions.

- 1 Victoria Weightlifting Association may require the person to undergo a police check at any time following the initial police check.
- 2 Where the person refuses to sign the “*Consent to Check and Release National Police Record*”:
 - a) In the case of an applicant for a position of office at club, regional or state level, the person shall not be appointed to that position.
 - b) In the case of a person already acting in such a position, the person shall immediately cease to carry out that position.
 - c) Where the club, region or VWA employs the person, the member will be given the opportunity to respond, with the purpose of determining whether the person should have their employment terminated.
 - d) In the event that the person does not cease to act in the capacity of Coach/Manager/Official, the VWA affiliated Club under the direction of the VWA may suspend either completely or partially, as may be decided, all privileges as a member of the association.
- 3 The club or region shall forward the completed “*Consent to Check and Release National Police Record*” to the Executive Director for processing and shall provide in writing to the Executive Director the name of each person whose application has been submitted.
- 4 The Victoria Police in relation to the person will make all police checks. The Victoria Police will return the results to the VWA Executive Director.
- 5 The Executive Director shall review the information contained in the Police Report and indicate that:
 - a) That the person is suitable to be engaged in proposed position
 - b) That the person is not suitable to be engaged in the proposed position.

Note: The cost associated with this, is at the expense of the person and not VWA.

- 6 Upon negotiation and verification of the Criminal History the Executive Director will:
 - a) Confirm that the person has been convicted or found guilty of an offence listed by VWA as a minor offence but, in the opinion of the Executive Director is a person appropriate to hold a position of coach, manager or official within the club, region or state; or
 - b) Confirm that the person has been convicted or found guilty of an offence listed by VWA as a serious and/or minor offence which in the opinion of the Executive Director renders the person unfit to hold a position of coach, manager or official.
- 7 If the Executive Director finds that a person is unfit to hold the position of coach, manager or official then he/she shall:
 - a) In the case of an applicant for a position as coach, manager or official:
 - i) Inform the person in writing (in confidence) of the reasons why the person will not be considered for the position of coach, manager or official and
 - ii) Inform the person's club (in confidence) that the person is not to be appointed to that position.
 - b) Where the person is already acting in the position of coach, manager or official:
 - i) Inform the person in writing (in confidence) of the reasons why the person must cease to act in the position immediately; and
 - ii) Inform the person's club (in confidence) that the person must cease to act in that position.
 - c) Lodging of an appeal with the VWA will not act as a stay of the decision at first instance and such decision will remain operative until such time as the appeal is determined.
- 8 Where the person is aggrieved by the decision, the person may lodge a written notice of appeal with the Executive Director to PO Box 7, Hawthorn VIC 3122 within fourteen (14) days of receiving notification from the Executive Director of the reasons why the person is unfit to hold the position.
- 9 The Executive Director shall immediately, upon receipt of the notice of appeal from the person, refer the matter to the State Judiciary Committee Chairperson for consideration by the Judiciary Committee.

NOTE: The VWA Management Committee:

- a) Shall appoint the VWA Judiciary Committee as defined in the VWA By-Laws (GRIEVANCES, JUDICIAL AND DISCIPLINE)
- b) Shall ensure a legally qualified practitioner in law as a member of the Judiciary Committee.
- c) Shall appoint the Chairperson of the Judiciary. ('the Chairperson')

- 10 Upon receipt of a reference the Chairperson shall forthwith appoint the time and place for the hearing suitable to the members of the Committee. He/she shall give at least fourteen (14) days notice of the hearing to all interested parties.
- 11 An investigator, if appointed, shall make all relevant enquiries within a reasonable time and shall appear at the time and place appointed for the hearing by the Chairperson of the Committee
- 12 Example Letter – Notification of the VWA Judiciary Meeting/Procedures (Refer Appendix A)
- 13 The Committee shall have power to require the attendance of any member at any hearing by the Committee. The Chairperson shall give reasonable notice to a member informing him/her of the time and place of the hearing, and that he/she is required to attend.
- 14 The Committee shall likewise conduct the enquiry within a reasonable time, subject to any reasonable application for an adjournment in writing from the person and received by the Chairperson at least three (3) days before the time fixed for the enquiry.
- 15 The person shall not be entitled to legal representation as of right at the Committee hearing provided always that an application might be made at the commencement of the hearing for such representation. The Committee may grant or refuse such an application as it sees fit. The same provisions shall apply where an application is made for representation other than legal representation, provided that where a minor (U18) is involved, it shall be mandatory for a parent/s or guardian to be invited to attend at all material times, and every effort should be made to encourage these persons to be in attendance in the interests of the minor (U18) member.
- 16 Any notice given by the Chairperson shall be given in writing delivered personally or sent by prepaid post addressed to the person concerned. A notice given by post shall be deemed to have been given on the day following that on which it was posted.
- 17 Any person who fails without reasonable excuse to comply with the requirements of any notice addressed to him/her by the Chairperson of the VWA Judiciary Committee or who fails to comply with Clause 17 hereof shall be subject to such action as the State Judiciary shall think fit.
- 18 Evidence before the State Judiciary at an appeal hearing may be given orally or in writing or partly orally or partly in writing.
- 19 All Judiciary and appeal hearings shall be conducted in accordance with the VWA Constitution and By-Laws.
- 20 At the conclusion of the hearing, the majority shall agree upon the findings of the Committee, with the Chairperson having a casting vote in the event of a tied decision. The minority may furnish separate findings, but the majority findings shall be deemed to be the decision of the Committee.
- 21 The Chairperson of the Committee shall forthwith give notice of the decision of the Committee to the Executive Director, who upon being confirmed by the Executive Director shall become effective forthwith, and the person shall be advised immediately of this decision.

- 22 The Executive Director cannot alter the decision of the Committee, however he/she may return the reference to the Committee for further consideration or the hearing of additional evidence. The grounds of such return of the reference shall be clearly stated.
- 23 If the appeal is allowed, the person shall be notified accordingly and reinstated or the application considered for the relevant position.
- 24 If the person is aggrieved by a decision of the Committee, he/she may within twenty-eight (28) days after the decision is conveyed to that person, appeal against the decision provided-
 - a) The VWA Judiciary Committee conducted the hearing, the appeal shall be lodged with the Executive Director, and it shall be dealt with in accordance with the VWA Constitution and By-Laws.
- 25 All Procedures/Processes shall:
 - a) Be conducted according to equity and good conscience and shall determine the merits of any appeal without regard to technicalities or legal forms.
 - b) Be bound by the rules of natural justice; and.
 - c) Determine appeals as quickly as is consistent with the requirements of justice.
- 26 The decision of the VWA Judiciary Committee on appeal is final and binding on the appellant.

APPENDIX A – Example Letter – Notification of the VWA Judiciary Committee Meeting/Procedures

VICTORIAN WEIGHTLIFTING ASSOCIATION.

To:

Dear Sir/Madam,

You are hereby notified that a meeting of the Victorian Weightlifting Association Judiciary Committee will be held at on20.. ata.m./p.m. to enquire into the Application/Appointment Form and the findings of police checks , referred to the Committee by the Executive Director.

You are required to be (present) at that time and place together with such witnesses as you may desire to call.

*(Mr/Ms has been appointed pursuant to the VWA Constitution as an independent investigator to make all relevant enquiries and to appear to assist the Committee at the hearing.) – **Optional.***

The Chairman will, upon receipt of your request in writing, at least five (5) days before the day appointed for the hearing setting out the names and addresses of members of the Association who you desire to call as witnesses, require such members to be present at the hearing. If the time and place appointed are not suitable to you, you may apply for an adjournment by application in writing, to be in my hands at least three (3) days before the time appointed.

You are not entitled to legal representation as of right but you may apply at the commencement of the hearing for such representation, and the Committee may grant or refuse such application as it thinks fit. The same provisions shall apply where representation other than legal representation is required.

Yours faithfully,

Chairperson VWA Judiciary Committee

VICTORIAN WEIGHTLIFTING ASSOCIATION
SCHEDULE OF OFFENCES GUIDELINES
THIS IS TO BE USED AS A GUIDE ONLY AND IS IN NO WAY LIMITED TO THE
EXAMPLES LISTED UNDER EACH CLASS OR HEADING

The following is a list of offences that would ordinarily disqualify a person from taking on a club, region or state position – (Serious Offences):

- ✎ Sexual Offences under the criminal code
- ✎ All Drug Offences which are more serious than simple possession of cannabis or more than one (1) conviction for possession of cannabis.
- ✎ Assault occasioning bodily harm and above.
- ✎ Major Offences of Violence
- ✎ Serious Dishonesty

The following is a list of offences that would require consideration (Minor Offences):

One conviction for possession of cannabis of less than 200 grams of cannabis.
Minor Assault (Offences below assault occasioning bodily harm in seriousness)
Minor Offences of Violence – Domestic Violence
Multiple Convictions for Dishonesty Offences.

The following is a list of offences that would not ordinarily require consideration (Minor Offences):

Drink Driving
Speeding
One (1) conviction for Dishonesty Offence

Matters to be considered:

Number of offences?
Date of offence(s)?
Period of time lapsed?
Relevance to the position?
Type of offence(s) committed?
Seriousness of the offence(s) committed?

APPLICATION / APPOINTMENT – COACH/MANAGER/OFFICIAL

The success of any VWA Weightlifting Club is largely dependent upon the quality of its adult leadership and the initial selection of suitable persons for leadership positions. With every position the interested member must be suitable by virtue of character and previous history to be entrusted with the care of our young people within the Association.

(Club to Complete) APPLICATION / APPOINTMENT	Position:..... Club:..... Current suitability card sighted by (Volunteer Coordinator)
(Applicant to Complete) NAME Mr, Mrs, Miss, Ms	Family Name.....Maiden Name..... Given Names.....Preferred Name..... Previous Name(s)..... Date of Birth/...../..... Place of Birth.....Male/Female
ADDRESS	No. & Street.....Postcode..... Postal Address.....
TELEPHONE	Home.....Work..... Mobile.....Fax.....
PREVIOUS WEIGHTLIFTING SERVICE	Club.....No of Years..... Club.....No of Years..... Positions held in the Association.....
ACCREDITATION/ AWARDS HELD
OTHER COMMUNITY INVOLVEMENT

In consideration of Victoria Weightlifting Association accepting me as a Coach/Manager/Official involved in Weightlifting activities –

1. I acknowledge having read or had explained to me the: -
(a) Policies and Rules of Victorian Weightlifting Association.
(b) Constitution, By – Laws and Policies of Victoria Weightlifting Association
(c) Code of Conduct for Members and Coaches, Managers and Officials.
2. I agree and consent to the Commission for Children & Young People conducting enquiries/checks to determine my suitability to become a Coach/Manager/Official of VWA members.
3. I agree that the Victoria Weightlifting Association is released from and against all actions, suits, claims, damages, costs, expenses, and demands brought by any person connected with the obtaining of or disclosure of any information resulting from any enquiries deemed necessary to determine my suitability to become a Coach/Manager/Official.

I(Full Name)

a member of(Weightlifting Club)

for the purpose of consideration of my application to become a Coach/Manager/Official, hereby authorise the VWA/Club/Regional Association to:

- a) submit my Application for Suitability Notice Form to the Commission For Children & Young People and receive notification of the results of such application
- b) disclose or cause to be disclosed only to Victoria Weightlifting Association any comment of my suitability based on information obtained by the said application

.....
Applicant's Signature

...../...../.....
Date

.....
Witness

Note: Acceptance of this form does not necessarily guarantee acceptance as a Coach/Manager/Official.

Confidential

