

OCEANIA GYMNASTICS UNION

CHILD SAFE POLICY



Policy Name:	CHILD SAFE POLICY
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1. Policy Overview

Oceania Gymnastics Union (OGU) understands that it has a fundamental duty of care towards protecting children engaged within its programmes and is committed to the safety and protection of children from all forms of abuse and exploitation. This Child Safe Policy recognises that children can be extremely vulnerable, especially in developing nations, in situations of poverty and/or humanitarian crisis or conflict and need to be protected.

OGU will use a risk management approach to minimise the likelihood of child abuse and provide clear and practical guidelines for staff and representatives responding to child abuse and managing complaints.

This Policy has been developed to adhere to international standards such as the United Nations Convention on the Rights of the Child as well as the Australian Department of Foreign Affairs and Trade's Child Protection Policy (2017). This Policy operates in conjunction with common and statute law and does not exclude or replace the rights and obligations of any individual under Family or other Law Acts in individual countries in which OGU conducts programmes. This Policy should be seen as a component of the broader ethical framework and Code of Conduct of OGU. Disciplinary processes are a means to establish and maintain an ethical, efficient and effective organisation and should not be seen in isolation from the overall goals of the company.

2. Purpose

This Child Safe Policy aims to achieve the following:

- To protect children engaged in Oceania Gymnastics Union programmes from all forms of harm, exploitation and abuse, by adopting a goal of children experiencing 'zero harm' as a result of our programmes. This will be achieved by identifying and managing the risks associated with working with children, and ensuring that internal procedures are in place and known by staff for handling complaints related to child safety;
- To protect OGU staff and representatives from undue suspicion, incorrect or malicious allegations of misconduct by having a clear and transparent reporting system; and
- To protect OGU's organisational integrity and reputation, as well as that of its partners, by deterring child sex offenders with a sound Child Safe Policy and related procedures.
- To comply with the Australian Department of Foreign Affairs and Trade's Child Protection Policy with a view to conducting Australian Government Department of Foreign Affairs and Trade (DFAT) funded International programmes.

This policy outlines

- definitions of child abuse and other relevant terms;
- child protection legislation, conventions and guidelines;
- OGU's set of commitments to child safety;
- OGU's risk management approach to minimising the likelihood of child abuse and exploitation;
- OGU's Code of Conduct governing interaction with children
- OGU's practical reporting procedures and response mechanisms.

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3. Scope

This Policy applies only to:

OGU programmes inclusive of any staff member (voluntary or paid) working or located within the OGU region (including those attached to other organisations), contractors, sub-contractors, travelling board members, programme participants (ie. volunteers, scholarship holders, trainers, group leaders and facilitators) and/or any accompanying dependants and other family members.

Each OGU member federation is responsible for developing and implementing a policy for safeguarding children that conforms with the intent and guiding principles of this and the International Gymnastics Federation (FIG)'s Policy for Safeguarding and Protecting Participants in Gymnastics.

- Where OGU representatives are conducting programmes in a member federation's jurisdiction, that member federation's policy will apply in the first instance.
- Should a situation arise whereby a member federation's safeguarding policy is not in line with the standards of FIG Policy and Procedures, this OGU Child Safe Policy will apply.
- Where OGU representatives are conducting programmes in a non-member country which does not yet have a policy for safeguarding children which is in line with the standards of FIG Policy and Procedures, this OGU Child Safe Policy will apply.
- In a situation where a representative of one OGU member federation visits another member federation and a child safety incident is reported, that representative's member federation may, at its discretion conduct its own investigation.

4. Definitions¹

Child means every person below the age of 18². This Policy uses the United Nations Convention on the Rights of the Child definition of a child, being any person under the age of 18, regardless of whether a nation's laws recognise adulthood earlier.

Child abuse is the physical, sexual, emotional mistreatment or neglect of a child resulting in actual or potential harm to the child's health, survival, development or dignity in the context of a relationship of responsibility, trust or power.

Child protection is an activity or initiative designed to protect children from any form of harm, particularly harm arising from abuse, neglect or exploitation.

Physical abuse of a child is when a person purposefully injures or attempts to injure a child from an interaction or lack of interaction which is reasonably within the control of a person in a position of responsibility, power or trust over the child. This may take the form of slapping, punching, shaking, kicking, burning, shoving, grabbing or choosing not to assist a child when a situation is causing them physical pain. There may be a single incident or repeated incidents.

Emotional abuse of a child is any action that is not physical but that has a negative effect on the social, intellectual or emotional development of a child. Emotional abuse is categorised loosely as the chronic behavioural pattern directed at a child whereby a child's self-esteem and social competence is undermined or eroded over time. It can take the form of name-calling, threatening, belittling, ridiculing, intimidating, isolating, ignoring or other non-physical forms of hostile or rejecting treatment towards the child.

Neglect of a child is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, education, supervision emotional development and/or protection from foreseeable harm in the context of resources reasonably available to the family or caretakers of the child and to the extent that the child's health and/or development are at risk.

¹ The definitions in this policy are based on terminology within the United Nations Glossary on Sexual Exploitation and Abuse and are compliant with the Australian Department of Foreign Affairs and Trade (DFAT) Child Protection Policy 2017.

² As defined by the Convention on the Rights of the Child (United Nations, Article 1).

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Sexual abuse of a child is when a person who is in a position of responsibility, trust or power over a child involves the child in sexual activity which is intended to gratify or satisfy the needs of the other person and which the child does not fully comprehend, is unable to give informed consent to, or is not developmentally prepared and cannot give consent. This can include contact acts (such as rape or sexualized touching) or non-contact acts (such as exposure to pornography or taking sexualized photographs of the child).

Domestic violence is a pattern of assaultive and/or coercive behaviours conducted within the family environment or domestic (home) environment which can include physical abuse, sexual abuse, emotional abuse and/or economic coercion.

Child Exploitation is when a child is used in work or other activities for the benefit of others. This includes, but is not limited to, the **commercial sexual exploitation of children** whereby a child is sexually abused in return for cash or for kind and **child labour** whereby a child is forced to work or perform other acts to an extent detrimental to the child's physical, social or mental development.

Guiding Principles of this Policy

This Policy is based upon the following guiding principles:

- **Zero tolerance** of child abuse;
- Recognition and promotion of children's **best interests**;
- Sharing **responsibility** for child safety;
- Use of a **risk management** approach to prevent child abuse; and
- **Report and respond** to all incidents of child abuse.

The Oceania Gymnastics Union's Commitments

OGU is committed to implementing and maintaining child safety measures to the highest standard. These include:

- In all contracts involving OGU, all parties agree to abide by the requirements of this Policy;
- Child protection risks are included in all project and activity risk assessments;
- Culturally specific issues relevant to child safety will be incorporated into project specific risk management strategies, training and response procedures;
- Preventative child protection measures are implemented to the highest standard;
- Comprehensive child-safe recruitment and screening processes are employed;
- Training in safe guarding children is regularly provided to relevant OGU employees and representatives;
- A Child Safe Code of Conduct exists and is understood and signed, wherever applicable, by all OGU employees and representatives that are bound by it;
- Clear and current reporting procedures exist and are known by OGU employees and representatives;
- National laws and processes and local resources are included within reporting and response mechanisms;
- No person is permitted to work with children if they pose an unacceptable risk to children's safety or wellbeing;
- All employment contracts involving OGU outline that OGU has the right to dismiss, suspend or transfer to other duties personnel who breach the Child Safe Code of Conduct; and
- The highest levels of confidentiality and sensitivity are employed pending an official investigation of an incident.

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5. The Child Safe Code of Conduct

Acceptable Behaviours

Oceania Gymnastics Union personnel shall:

- Treat children with respect regardless of race, colour, gender, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
- Not use language or behaviour towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate;
- Not engage children under the age of 18 in any form of sexual intercourse or sexual activity, including paying for sexual services or acts;
- Wherever possible, ensure that another adult is present when working in the proximity of children;
- Not invite unaccompanied children into their home, unless they are at immediate risk or injury or in physical danger;
- Not sleep close to unsupervised children unless absolutely necessary, in which case they must obtain their supervisor's permission, and ensure that another adult is present if possible;
- Use any computers, mobile phones, video cameras, cameras or social media appropriately;
- Not use physical punishment on children
- Not hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- Comply with all relevant local legislation, including labour laws in relation to child labour;
- In DFAT funded programmes, comply with Australian laws, including labour laws in relation to child labour;
- Immediately report concerns or allegations of child exploitation and abuse and policy non-compliance in accordance with appropriate procedures;
- Immediately disclose all charges, convictions and other outcomes of an offence, which occurred before or occur during their association with Oceania Gymnastics Union that relate to child exploitation and abuse;
- Conduct themselves in a manner appropriate with their position representing OGU in all their dealings with children;
- Immediately raise concerns regarding a child's safety or wellbeing in accordance with OGU's Reporting Procedures and observe procedural fairness when engaged in decision-making;
- Be visible when working with children and, wherever possible, ensure that another adult is present when working in the proximity of children;
- Listen to children and allow them to be engaged in decisions that may affect them;
- Follow organisational policy and guidelines regarding the safety of children.

Unacceptable Behaviours

Oceania Gymnastics Union personnel shall not:

- Use language or demonstrate behaviour towards children that is inappropriate, harassing, abusive, demeaning, sexually provocative, or culturally insensitive;
- Engage children in any form of activity that is demeaning, offensive, sexually provocative, abusive or culturally inappropriate or insensitive;
- Engage children in any form of sexual activity or acts, including paying for sexual services or acts;
- Invite unaccompanied children into their home, unless they are at immediate risk of injury or in physical danger;
- Access child pornography/exploitation material through any medium; and never to exploit or harass children;
- Sleep close to unsupervised children unless absolutely necessary, in which case they must obtain their supervisor's permission, and ensure that another adult is present if possible;
- Hire children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury;
- Exclude or favour a particular child;
- Touch a child in an inappropriate or culturally insensitive manner. Personnel in direct medical care positions are to follow Australian and/or overseas industry best practice guidelines.

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6. The Photograph Policy for Using Children's Images

When photographing or filming a child for work related purposes, OGU personnel must:

- Assess and comply with local traditions or restrictions for reproducing personal images before photographing or filming a child;
- Obtain legitimate informed consent³ from the child and a parent or guardian of the child. As part of this an explanation as to how the photograph or images will be used must be given before photographing or filming a child;
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive;
- Ensure images are honest representations of the context and the facts;
- Ensure file label, meta data or text descriptions do not reveal identifying information about a child when sending images electronically or publishing in any form; and/or
- Ensure images of children available for public use do not reveal any identifying information.
- Use common sense and avoid actions or behaviours that could be construed as child exploitation and abuse.

7. Reporting and Incident Response

Reporting Child Abuse

Any suspicion or disclosure of child abuse in an OGU programme must be immediately reported to the OGU Member Protection Information Officer (MPIO), the Oceania Gymnastics Union Secretary General and the President of the Federation in which the incident occurred. All incidents will be reported and managed in accordance with the guidelines below and **Appendix 3 for the Oceania Gymnastics Union Procedure for Handling Allegations of Child Abuse in OGU programmes**. (Refer also to **Appendix 2 The Oceania Gymnastics Union Child Protection Incident Reporting Sheet**).

Guidelines for responding to Child Abuse Allegations

1. Oceania Gymnastics Union takes all allegations of child abuse by OGU personnel, seriously;
2. All allegations will be thoroughly investigated; and
3. Where an incident has been reported the following procedures will be followed:

For non-critical incident allegations

A non-critical allegation of child abuse is one which does not pose immediate risk to a child supposing the allegation was true. These incidents may well be critical in nature but the time frame for responding is not as immediate; an example is accessing child pornography.

1. The incident will be documented and investigated in accordance with **Appendix 3 the Oceania Gymnastics Union Procedure for Handling Allegations of Child Abuse**;
2. The incident will be investigated with full respect for the privacy of the accused and the alleged victim and information will be dispersed on a "need to know" basis with the primary concern being the rights and welfare of the people involved;
3. The accused person will be given an opportunity to express their views/opinions/version of facts;
4. The views of the alleged child victim will be considered in light of the documented evidence that children rarely lie about abuse; and
5. Where the incident is reasonably proven to have occurred, appropriate disciplinary measures will be taken, including, but not limited to:
 - Warning; and/or
 - Suspension; and/or
 - Dismissal.

The disciplinary measure will depend on the nature and severity of the offence and will be at the discretion of the OGU Discipline, Grievance & Appeal Tribunal (DGAT) and will be fully documented and reported to OGU's Board.

³ Legitimate Informed Consent requires that the child and a parent or guardian of the child must be competent to make a voluntary decision about whether to permit themselves to be photographed or filmed / for images of themselves to be used by others. Personnel must educate the child and a parent or guardian of the child about how the photographs or images will be used.

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For critical allegations

A critical allegation is an allegation whereby there may be an immediate risk to the welfare of a child should the allegation be found true – an example is inappropriate sexual activity.

1. Where the allegation involves a violation of either the laws of the country in which the incident occurs, or the laws of Australia the incident will immediately be reported to appropriate authorities and the person will be suspended from employment pending an investigation;
2. The incident will be documented and investigated in accordance with **Appendix 3 the Oceania Gymnastics Union Procedure for Handling Allegations of Child Abuse**;
3. All efforts will be taken to ensure the confidentiality and rights of the accused person and information related to the incident will only be shared on a “need to know basis”;
4. If the incident involves a breach of the Code of Conduct (but is not a violation of national laws), the accused person may be suspended pending an investigation;
5. Where a breach of the Code of Conduct is found to have occurred, all circumstances will be considered and the appropriate action will be taken;
6. Where an allegation is found to be false or unfounded, all efforts will be taken to ensure the rights of the accused person are upheld;
7. Where allegations amount to a violation of the country in which the incident occurs, or the laws of Australia, privacy will no longer be applicable unless deemed necessary to uphold the rights of the victim.
8. Where appropriate in investigations, OGU will consider and take into account legal advice as well as advice from any responsible authorities.

8. Recruitment and Reference Checking

Oceania Gymnastics Union will not knowingly permit any person to be employed or engaged as a volunteer if they pose an unacceptable risk to children.

All job advertisements for Oceania Gymnastics Union will include the following message:

“Oceania Gymnastics Union is a child safe organisation and will ask all applicants to undergo our child safe recruitment procedures and sign our Child Safe Declaration of Commitment. All staff and volunteers must sign and agree to conform to the Child Safe Policy and Code of Conduct as a condition of employment/engagement with the organisation.”

In addition:

- All new OGU personnel are required to provide an appropriate current police check (criminal record check). They must include police checks for overseas countries if they have worked or lived overseas for any period longer than one year in the last ten years.
- At least two verbal reference checks with former employers / referees will be conducted. Verbal referees cannot include partners, spouse and/or other relatives. Referees will be asked about the applicant’s suitability for the role to work with children and/or to have regular unsupervised contact with children. Referees will be asked whether they hold any concerns about the applicant, or if complaints were made about the applicant, in connection with working or having contact with children.
- New personnel will be required to provide written disclosure regarding whether they have been charged with child exploitation offences in the past.
- Applicants are required to provide documentation to prove their true identity.
- The interview process for candidates at OGU will include behaviour based interview questions that relate directly to working with children to probe the applicant’s attitude, experience and approach to working with children relevant to the post applied for. Where appropriate, questions may be taken from the list below:
 - Have you worked/volunteered with children in a similar position before? What did you like about it? What did you find difficult?
 - How have you handled children who did not want to participate in an activity?
 - Do you mind being supervised?
 - What motivates you/why do you want to work with children in this programme?
 - When do you think it is appropriate to spot a child doing a gymnastics skill?
 - Can you suggest some strategies to protect the coach and child when spotting gymnastics skills?
 - What would you do if a parent was late in arriving to collect their child?
 - Describe a time when you had to manage a child whose behaviour you found challenging?
 - Tell us about a time when you had to comfort a distressed child?

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9. Child Safe Education and Training

Child Safe training, including topics such as awareness raising and reporting processes will be provided to all Oceania Gymnastics Union personnel.

- All staff and volunteers of OGU will be required to undertake an OGU approved Online Child Protection Training Course and provide the certificate as proof of completion.
- The topics covered in the OGU approved course would normally include:
 - What child abuse is
 - Your right and responsibilities under child protection laws
 - How the laws apply to sporting organisations, clubs, their employees and volunteers
 - When, where and how to report incidents
 - How to establish a welcoming and inclusive environment at your club or organisation

The OGU Child Safety Officer is responsible for organising training in safe guarding children for OGU staff and volunteers.

All new OGU personnel will receive:

- A Child Safe Policy induction by the OGU Child Safety Officer. The induction should include a discussion regarding the responsibility of OGU and the individual, to build and maintain a child-safe organization, and appropriate behaviour when interacting with children or child-sensitive material.
- A copy of OGU's Child Safe Policy and associated procedures.

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Declaration of Commitment

All staff and volunteers must commit to the policy by signing in the spaces provided in the table below at the same time as signing their employment contract with Oceania Gymnastics Union or at the time that they become involved in OGU programmes. A copy of signed policies will be kept on file by OGU according to our Privacy Policy and record keeping procedures. The declaration (and the entire policy if possible) should be translated for those who do not speak English. If personnel are not literate, they will need to be read the content.

By signing this document, I indicate my understanding and acceptance of the provisions outlined within the document. I understand my legal and ethical obligations as detailed within the document. I understand that a breach of this Policy and/or Code of Conduct may provide grounds for my employment or voluntary appointment with Oceania Gymnastics Union (OGU) to be terminated. I also understand that a breach of this Policy and/or Code of Conduct could result in criminal prosecution.

I declare that:

- I have read and understand OGU's Child Safe Policy.
- I will work within the procedures as laid out in OGU's Child Safe Policy.
- I will report any suspected child abuse by others immediately
- I have not been accused or convicted of any offence involving physical or sexual abuse of children or young people.
- I understand that if a complaint is brought against me regarding the abuse of children whilst I am engaged in OGU programmes, the allegation will be thoroughly investigated in cooperation with the appropriate authorities.
- I understand that it is my responsibility as a person engaged by OGU to avoid actions or behaviours that are abusive or exploitative of children or actions that could be construed as such.
- I authorise OGU to undertake any necessary enquiries, including criminal record checks and reference checks as part of my appointment and recruitment process.
- I confirm my willingness to participate in OGU training sessions on child safe guarding.

Date	Name	Position	Signature

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APPENDICES

Appendix 1: Statutory Declaration of Criminal Record Form

Appendix 2: Child Protection Incident Reporting Sheet

Appendix 3: Procedure for Handling Allegations of Child Abuse

Appendix 4: Child Safety Risk Register

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Appendix 1: Statutory Declaration of Criminal Record Form

OCEANIA GYMNASTICS UNION DECLARATION OF CRIMINAL RECORD FORM

Applicant's Name:		Role applying for:	
Have you ever been charged or convicted of any offence?		YES <input type="checkbox"/>	NO <input type="checkbox"/>
If yes, please provide details:			

Please note: if you are applying for a position where you will have regular contact with children, (this may be frequent or infrequent), you are required to give details of all convictions or criminal offences and cautions, or pending prosecutions.

Have you ever been dismissed from employment or had any disciplinary action taken against you which may be related to work with a child/children under 18 years of age?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please provide details:		
Have you received any formal reprimands, final warnings, or cautions from the police?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please provide details:		
Is there any other information which may be relevant to your application e.g. pending prosecutions	Yes <input type="checkbox"/>	No <input type="checkbox"/>
If yes, please provide details:		
Signature:	Date:	

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Appendix 2: Child Protection Incident Reporting Sheet

OCEANIA GYMNASTICS UNION CHILD PROTECTION INCIDENT REPORTING SHEET

Please fill out as many sections as possible with as much detail as you can. This form is confidential.

Location:
Your name:
Your position:
Child's name:
Age/date of birth:
Child's address (if known):
Name of Parents/guardians/carers and addresses (if known):
Date and time of incident:
Member of staff involved in incident (if any):
Place where incident occurred:
Your observations:
Details of Concern/ Suspicion/ Incident: Describe what happened: time, dates, names of person(s) involved, behaviour or physical signs observed, any other details:
Details of any conversation with the child:

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Action taken so far (if any):	
External agencies contacted (date and time)	
Oceania Gymnastics Union Secretary General	Name and contact number: +61386989700 Details of advice received: Oceania Gymnastics Union has contacted DFAT: <div style="display: flex; justify-content: space-around;"> <input type="checkbox"/> YES <input type="checkbox"/> NO </div>
The OGU Child Safety Officer	Name and contact number: Details of advice received:
Police Yes/no	If yes – which station: Name and contact number: Details of advice received:
Social services Yes/no	If yes – which one: Name and contact number: Details of advice received:
Local authority:	If yes – which authority: Name and contact number: Details of advice received:
Other:	Which organisation: Name and contact number: Details of advice received:
Signature: Print name: Date:	

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Appendix 3: Procedure for Handling Allegations of Child Abuse in OGU programmes

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

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

All people working for the OGU 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 appropriate government department. You may need to make a report to both.
- Contact the President of the Federation in which the incident occurred
- Contact The OGU MPIO who will assist in managing the situation
- If the incident involves a child in a DFAT funded programme, Contact Oceania Gymnastics Union Secretary General who will inform DFAT
- Contact the Department of Social Welfare 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 OGU Secretary General so that they can manage the situation.

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Step 3: Protect the child and manage the situation

- The OGU MPIO will support the National Federation President to 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. Legal advice should be sought before any interim steps are made if the person is in paid employment with OGU.
- The OGU MPIO will support the National Federation President to consider what services may be most appropriate to support the child and their parent/s.
- The OGU MPIO will support the National Federation President to consider what support services may be appropriate for the alleged offender.
- The OGU MPIO will support the National Federation President to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

- Up to five 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 government department responsible for child protection in the country in which the incident occurred and/or Australia for incidents occurring in DFAT funded programmes)
 - an investigation by the National Federation of the country in which the incident occurred
 - a disciplinary or misconduct inquiry/investigation (conducted by OGU).
- Regardless of the findings of the police and/or government department investigations, OGU will assess the allegations to decide whether the alleged offender should return to his or her position, be dismissed, be banned or face any other disciplinary action.
- The OGU Secretary General will consider all information relevant to the matter – including any findings made by the police, the government department responsible for child protection and/or court – and then report recommended actions and the rationale for those actions to the OGU Board.
- If disciplinary action is recommended, we will follow the procedures set out in our Grievance, Discipline and Appeals Policy.
- We will provide the relevant government agency with a report of any disciplinary action we take, where this is required.