

Member Protection Policy Maylands Yacht Club Inc.

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1. Introduction

Maylands Yacht Club Inc (MYC or the "Club") is a non-profit club, run by volunteers to run and promote sailing activities at Maylands, on the Swan River.

MYC is a family-oriented club, with a strong emphasis on sailing for fun through social sailing and competition and helping those who want to learn to sail.

The Club aims to:

- (a) Encourage amateur sailing in the community through its training programs and competition;
- (b) Provide sail training for all age groups, from beginners or those who want to brush up on their skills;
- (c) Hold sailing matches, races, regattas and competition;
- (d) Promote social events for members;
- (e) Provide Club facilities for members and their guests.

The Club is run by a committee of volunteers.

MYC is committed to fostering the following values:

- Respect for each individual at all times
- Respect for individual differences irrespective of age, sex, and membership status
- Respect for an individual's social and cultural background
- Fairness and equity in the conduct of relationships with all those involved at our club

2. Purpose of Our Policy

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

The attachments to this policy describe the practical steps and codes of conduct expected from everyone involved with the Club.

This policy closely reflects Member Protection Policies that have been adopted and implemented by MYC's affiliation with Yachting WA and Australian Sailing.

3. Who Our Policy Applies to

Our policy applies to everyone involved in the Club including committee members, administrators, coaches, officials (umpires/judges), sailors and boating participants, parents and spectators.

4. Extent of Our Policy

This policy extends to behaviour that occurs at training sessions, in the club rooms, at events organised or sanctioned by the Club (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings our Club or sport into disrepute.

5. Club Responsibilities

MYC will:

- Implement and comply with this policy
- Promote our policy to everyone involved in our club
- ensure that a copy of this policy is available to all people to whom this policy applies
- Promote and model appropriate standards of behaviour at all times
- Respond to breaches or complaints made under our policy promptly and appropriately
- Review this policy every 2-3 years
- Seek advice from and refer serious issues to Yachting WA

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 Yachting WA or national body request to be referred to them.

6. Individual Responsibilities

Everyone associated with MYC must:

- Comply with the standards of behaviour outlined in our policy
- Treat others with respect
- Always place the safety and welfare of children above other considerations
- Be responsible and accountable for their behaviour
- Follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour
- Consent to the screening requirements set out in this policy, and any state/territory Working
 with Children 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;

7. Position Statements

7.1 Child Protection

MYC is committed to the safety and wellbeing of all children and young people associated with our sport. We will act to ensure a child safe environment is always maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

7.2 Develop Codes of Conduct for Adults and Children

MYC will develop codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the organisation's care. (see Attachments for these codes of conduct).

7.3 Choose Suitable Employees and Volunteers

MYC will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work in prescribed positions.

This may be achieved by using a range of screening measures, or ensuring the member holds suitable qualifications.

MYC will ensure that working with children checks or criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law.

7.4 Support, Train, Supervise and Enhance Performance

MYC will ensure that volunteers and employees who work with training fleets or handle sensitive records have ongoing supervision, support and training so that the Club can maintain a progressive and safe environment.

7.5 Empower and Promote the Participation of Children

MYC will promote the involvement and participation of children and young people in developing the Club and its training program.

7.6 Report and Respond Appropriately to Suspected Abuse and Neglect

If any person feels another person or organisation bound by this policy is acting inappropriately towards a child or is breaching the code of practice, they may make an internal complaint. Please refer to our complaints procedure outlined in this policy. This will explain what to do about the behaviour and how the MYC will deal with the problem.

7.7 Run Events in Accordance with Legal and Sporting Obligations

The Club exists to promote sailing activities within its physical boundaries and throughout the sailing fraternity generally. It will run its activities within rules acceptable to Yachting Australia

8. Supervision

During Club run activities, members under the age of 18 must be supervised at all times by a responsible adult. MYC will endeavour to provide a level of supervision that is adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 18 is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

Parents must turn up on time to collect their child for reasons of courtesy and safety. If it appears a member will be left alone at the end of a training session with just one child, they will ask another member to stay until the child is collected.

Certain Club run activities may have reduced child supervision resources (eg. Twilight sailing), and this will be made clear to participants who must use their own judgement or manage their own child's supervision.

9. Transportation

Parents/guardians are responsible for transporting their children to and from club activities (e.g. practice and regattas). Where our club makes arrangements for the transportation of children (e.g. for away or overnight trips), 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 appropriate vehicles are employed.

10. Taking Images of Children

The Club may use images of its members for newsletter or publicity purposes. Where consent to use personal images has not been obtained through the membership process, the club will, wherever possible, obtain permission from that person (or that person's guardian) before using an image.

If the club uses an image of a member, it will avoid naming or displaying personal information.

We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

11. Anti-harassment, Discrimination and Bullying

MYC opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic, or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers.

Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

MYC takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the club (see Responding to Complaints).

12. Inclusive Practices

MYC is welcoming and we will seek to include members from all areas of our community.

People with a disability

MYC welcomes participation by people with a disability, in as far as it does not pose a risk to that person, or anyone at the Club.

People from diverse cultures

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

Sexual & Gender Identity

All people, regardless of their sexuality, are welcome at our club. We strive to provide a safe environment for participation and will act over any homophobic behaviour.

Pregnancy

There may be risks for pregnant women 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.

13. Responding to Complaints

13.1 Complaints

MYC takes all complaints about on and off-water behaviour seriously. Our club will handle complaints based on the principles of procedural fairness, that is:

All complaints will be taken seriously;

- Both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond;
- Irrelevant matters will not be considered;
- Decisions will be unbiased and fair; and
- Any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to Yachting WA.

However, complaints under this policy cannot be handled concurrently with any other process that is addressing the complainant's matter or related matter.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then MYC may need to report the behaviour to the police and/or relevant government authority.

13.2 Complaint Handling Process

When a complaint is received by our club, the person receiving the complaint (e.g. Commodore, Secretary) will:

- Listen carefully and ask questions to understand the nature and extent of the problem;
- Ask what the complainant how they would like their concern to be resolved and if they need any support;
- Explain the different options available to help resolve the problem;
- Maintain confidentiality but not necessarily anonymity.

Once the complainant decides on their preferred option for resolution, the club will assist, where appropriate and necessary, with the resolution process. This may involve:

- Supporting the person complaining to talk to the person being complained about
- Bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- Gathering more information (e.g. from other people that may have seen the behaviour);
- Seeking advice from our district, regional, state and/or national body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);
- Referring the complaint to Yachting WA; and/or
- Referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to Yachting WA and an investigation is conducted, the club will:

- Co-operate fully;
- Ensure the complainant and respondent are not victimised;
- Where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- Act on Yachting WA's recommendations.

At any stage of the process, a person can seek advice from or lodge a complaint with an antidiscrimination commission or other external agency.

14. Disciplinary Measures

Our club will take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

Be applied consistent with any contractual and employment rules and requirements;

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- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;
- Be determined by our Constitution, By Laws and the rules of the sport.

Possible measures that may be taken include:

- Verbal and/or written apology;
- Counselling to address behaviour;
- Withdrawal of any awards, placings, records, achievements bestowed in any regattas, activities or events held or sanctioned by our club;
- Suspension or termination of membership, participation or engagement in a role or activity;
- De-registration of accreditation for a period of time or permanently;
- a fine; or any other form of discipline that our club considers reasonable and appropriate.

15. Appeals

The complainant or respondent can lodge an appeal against decisions made in relation to a complaint (including decisions of disciplinary measures) to Yachting WA. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/club.

ATTACHMENTS

ATTACHMENT 1.1 SCREENING REQUIREMENTS

This attachment sets out the screening process for people in our club who work, coach, supervise or have regular unsupervised contact with people under the age of 18 years.

MYC will:

- 1. Identify positions that involve working, coaching, supervising or regular unsupervised contact with people under the age of 18 years.
- 2. Obtain a completed Member Protection Declaration (MPD) (Attachment 1.2) from all people who are identified in the above step and keep it in a secure place.
- 3. If a MPD is not provided or it reveals that the person doesn't satisfactorily meet any of the clauses in the MPD, the Club will then make an assessment as to whether the person is suitable to work with people under the age of 18 years. If unsatisfied we will not appoint them to the role/position.
- 4. Where possible, check a person's referees (verbal or written) about his/her suitability for the role.
- 5. Certain roles under training or within the Committee may require that person obtain a current Working with Children check and/or to consent to a national police check. The national police check is subject to the discretion of the Management Committee.
- 6. If a national police check applies, the person being checked may request a national 'Part Exclusion' police check, which excludes irrelevant records. If the police check indicates a relevant offence, we will provide an opportunity for the person to give an explanation, and then we will make an assessment as to whether the person can satisfactorily be appointed to the role with no risk to the Club or its members.
- 7. Where it is not practical to complete the police check prior to the person commencing in the position, we will complete the check as soon as possible, and if necessary, act immediately on the outcome.
- 8. Protect the privacy of any person who is checked and maintain confidentiality of any information obtained through the checking process.
- 9. Return information collected during screening (such as a completed MPD form, police records and referee reports) to the relevant person if that person is not appointed to the position, or otherwise be destroyed within 28 days of the date of the decision or the expiry of any appeal period. For appointed persons, information will be kept on file in a secure location.

ATTACHMENT 1.2: MEMBER PROTECTION DECLARATION

MYC has a duty of care to all those associated with our club. As a requirement of our Member Protection Policy, we must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

I	(name) of			
	(address) born/			
sincerely	declare:			
	o my knowledge there is no other matter that the club may consider to constitute a risk to s members, employees, volunteers, athletes or reputation by engaging me.			
	do not have any criminal charge pending before the courts.			
	do not have any criminal convictions or findings of guilt for sexual offences, offences elated to children or acts of violence			
o	have not had any disciplinary proceedings brought against me by an employer, sporting rganisation or similar body involving child abuse, sexual misconduct or harassment, other orms of harassment or acts of violence.			
5. I	will notify the Commodore of the club immediately upon becoming aware that any of the natters set out in clauses 1 to 4 above has changed.			
Declared	in the State/Territory of			
on/(date) Signature				
Parent/G	uardian Consent (in respect of a person under the age of 18 years)			
	nd and understood the declaration provided by my child. I confirm and warrant that the of the declaration provided by my child are true and correct in every particular.			
Name:				
Signature	:			
Date:				

ATTACHMENT 1.3: WORKING WITH CHILDREN CHECK REQUIREMENTS

The Working With Children Check ("WWC Check") is a compulsory and rigorous criminal record check for certain people who carry out 'child-related work' in Western Australia (WA). The Working with Children (Criminal Record Checking) Act 2004 (the Act) aims to protect children from harm by providing a high standard of compulsory national criminal record check for people wishing to work in paid or unpaid child-related work or volunteer child-related work in WA.

A person is considered to be working in 'child-related work' if their usual duties and work involves, or is likely to involve contact with a child in connection with specified categories of work (see the website below for further details). It includes child-related work carried out by paid employees, volunteers, unpaid people and the self-employed. Parents volunteering in connection with their child's activity are exempt (although this does not apply to overnight camps); however, they should still be required to complete the non-WWC Check screening process. There are other exemptions, for example, volunteers under 18 years of age. Further details about exemptions can be found on the website below. Only those considered to be working in child-related work under the Act may apply.

Applicants will be issued with either:

- An Assessment Notice in the form of a WWC Check Card enabling them to be in all types of child-related work for three years unless there are new offences of concern.
- An Interim Negative Notice, which prohibits them from child-related work until a final decision is made on their application.
- A Negative Notice, which prohibits them from carrying out child-related work (including voluntary work)

It is an offence for employers, volunteer organisations and education providers to engage in child – related work without a WWC Check Card. It is also an offence for employees, volunteers and students to carry out child-related work without doing so. The Act provides a five-day grace period in most cases to provide reasonable flexibility and allow for unforeseen circumstances.

Additionally, WWC Checks are only concerned with child-related offences, therefore MYC may deem it necessary to further require that employees or volunteers obtain both a WWC Check and a National Police Check.

Information on obtaining a National Police Check can be obtained from the Western Australia Police at www.police.wa.gov.au

ATTACHMENT 2: CODES OF BEHAVIOUR

Australian Sailing and Yachting WA endorse the following code of conduct for members, service providers and employees, particularly those responsible for activities involving members under the age of 18 years.

General Code of Conduct

As an Australian Sailing cardholder, service provider or individual associated with sailing you should meet the following standard of conduct:

- Respect the rights, dignity and worth of others.
- Be fair, considerate and honest in all dealing with others.
- Be professional in, and accept responsibility for, your actions.
- Make a commitment to providing quality service.
- Be aware of, and maintain an uncompromising adhesion to, Australian Sailing's standards, rules, regulations and policies.
- Operate within the rules of the sport including national and international guidelines that govern Australian Sailing.
- Do not use your involvement with Australian Sailing, Yachting WA or an Affiliated Club/Class Association to promote your own beliefs, behaviours or practices where these are inconsistent with those of the Relevant Organisation.
- Demonstrate a high degree of individual responsibility especially when dealing with persons under 18 years of age, as your words and actions are an example.
- Avoid unaccompanied and unobserved activities with persons under 18 years of age, wherever possible.
- Refrain from any form of harassment of others.
- Refrain from any behaviour that may bring Australian Sailing, Yachting WA or an Affiliated Club/Class Association into disrepute.
- Provide a safe environment for the conduct of the activity.
- Show concern and caution towards others who may be sick or injured.
- Be a positive role model.
- Understand the repercussions if you breach, or are aware of any breaches of, the Member Protection Policy.

Administrator (volunteer) Code of Conduct

Administrators/directors/officers/employees/contractors shall:

- Agree to abide by the Code of Conduct.
- Be fair, considerate and honest in all dealing with others.
- Be professional in their actions, language, presentation, manners and punctuality in order to reflect high standards.
- Maintain confidentiality in regards to sensitive and/or commercial information.
- Resolve conflicts fairly and promptly through established procedures.
- Maintain strict impartiality in matters relating to the Member Protection Policy.
- Maintain a safe environment for others.
- Show concern and caution towards others.
- Be a positive role model for others.

Coach and Instructors Code of Conduct

Coaches and instructors educate participants in the fundamental techniques, skills and tactics of sailing. Accredited coaches and instructors are vital to quality sailing development. Sailing coaches and instructors shall:

- Agree to abide by the code of conduct.
- Become accredited and keep that accreditation up to date.
- Encourage enjoyment of sailing, participation should be for pleasure, winning is only part of the fun.
- Cater for varying levels of ability so that all sailors have a 'fair go' in both practice and competition.
- Provide equal encouragement to males and females to participate, acquire skills and develop confidence.
- Make opportunities available for exceptionally talented sailors or boating participants to develop their full sailing and/or boating potential.
- Prepare and conduct sessions based on sound coaching principles.
- Set realistic standards and objectives for juniors.
- Provide safe sailing or boating conditions.
- Insist that the required protective clothing is fitted and worn appropriately.
- Educate sailors and in the case of juniors, the parents on health and safety in sailing or boating.
- Abide by the World Anti-Doping Code.
- Ensure that the consequences of inappropriate behaviour are clearly understood by sailors and boating participants, and in the case of juniors, the parents.
- Keep up to date with sailing and boating coaching development.
- Operate within the rules and spirit of the sport and teach your sailors and boating participants to do the same.
- Never ridicule or yell at young sailors or boating participants for making a mistake or not coming first.
- Provide a good role model of sporting behaviour and respect the rights, dignity and worth of
 every sailor and boating participants regardless of their age, gender, ability, cultural
 background or religion.

Sailing/Boating Participant Code of Conduct

Competitors are expected to comply with the Basic Principle outlined in the Racing Rules of Sailing.

As a competitor you shall:

- Be tolerant of other users of the waterways and surrounding environs.
- Never argue with an official.
- Control your temper. Verbal abuse of officials and sledging other sailors/boating participant, deliberately distracting or provoking an opponent are not acceptable or permitted behaviour.
- Not abuse other crew members.
- Abide by the Australian Sailing Anti-Doping Code.
- Work equally hard for yourself and/or your crew. Your boat's performance will benefit and so will you.
- Be a good sport.
- Treat all participants as you like to be treated. Do not bully or try to take an unfair advantage
 of another competitor.
- Cooperate with your fellow sailors/boating participants, without them there would be no competition.
- Participate for your own enjoyment and benefit not just to please others.
- Respect the rights, dignity and worth of all participants regardless of their gender, ability, cultural background or religion.

Officials Code of Conduct

Officials shall:

- Place the safety and welfare of the participants above all else.
- Accept responsibility for their actions.
- Be impartial.
- Avoid anything which may lead to conflicts of interest.
- Be courteous, respectful and be open to discussion and interaction.
- Value the individual in sport.
- Seek continual self-improvement through study, performance appraisal and regular updating of competencies.
- Encourage inclusivity and access to all areas of officiating.
- Be a positive role model in behaviour and personal appearance.

Parent/Guardian Code of Conduct

Parents should:

- Remember that children participate in sailing or boating for their enjoyment, not yours.
- Encourage children to participate, not force them.
- Focus on the child's efforts and performance rather than winning or losing.
- Encourage children to sail or boat according to the rules and to settle disagreements without resorting to hostility, violence or abuse.
- Never ridicule or yell at a child for making a mistake or losing a race.
- Remember that children learn best by example. Appreciate good performances and skills displayed by all participants.
- Support all efforts to eliminate verbal and physical abuse from sport.
- Respect officials' decisions and teach children to do likewise.
- Show appreciation of the efforts of volunteer coaches, officials, administrators and other helpers as without them there would be no sport for your children to participate in.
- Respect the rights, dignity and worth of every young person regardless of their gender, ability, cultural background or religion.

Spectator Code of Conduct

Spectators are expected to:

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

ATTACHMENT 3 : Record of Complaint

Name of person receiving		Date:
complaint		
Complainant's Name		
	Over 18 🗆 Under 18 🗆	
Complainant's contact		
details	Phone:	
	Email:	
Complainant's role in the	Committee	
Club	Sailor	
	Coach/Instructor	
	Official	
	Employee	
	Parent	
	Spectator	
	Support Personnel	
	Other 🗆	
Name of person		
complained about		
	Over 18 🗆 Under 18 🗆	
Person complained about	Committee	
role in the Club	Sailor	
	Coach/Instructor	
	Official 🗆	
	Employee	
	Parent □	
	Spectator	
	Support Personnel	
6 !!	Other 🗆	
Location of alleged issue		
Description of alleged issue		
Description of alleged issue		

Nature of complaint	Harassment □ or Discrimination
(category/basis/grounds)	Sexual/sexist □
,	Selection dispute □
Can tick more than one box	Coaching methods
	Sexuality
	Personality clash
	Verbal abuse □
	Race
	Bullying □
	Physical abuse
	Religion
	Disability
	Victimisation □
	Pregnancy
	Child abuse
	Unfair decision
	Other
	Otter -
What they want to fix the	
issue	
Information provided to	
them	
Resolution and/or action	
taken	
Follow-up action	
1 Show up action	