



## WESTERN AUSTRALIAN BRANCH

### POLICIES and OPERATIONAL PROCEDURES MANUAL

Updated – 13-Jan-05

### **I3. INCIDENT INVESTIGATION COMMITTEE.**

#### **I3.1 General Provisions.**

I3.1.1 When an incident occurs that is in contravention of Policy & Rules, a Branch Policy or Operational Procedure or any other governing rule in force at the time of the incident, the Scout Association of Australia, Western Australian Branch (“the Association”) is compelled to establish an Incident Investigation Committee, to undertake a full investigation into the incident, including how it arose, how it was handled and make recommendations, to the Chief Commissioner, in relation to any changes in procedures and/or disciplinary action required for personnel.

It must be acknowledged that the severity of the incident may result in the Leader/Adult helper being stood down until the investigation is completed and an outcome determined and therefore it imperative that actions detailed are the maximum time and should be considered accordingly. There is no prevention to the time being reduced in a matter of urgency.

**NOTE:-**

- (i) Under no circumstances must the Association be seen to be keeping an investigation in-house if it is deemed detrimental to the openness and accountability of the organisation.
- (ii) Such matters must immediately be referred to external agencies better equipped to handle such matters.

The Committee may hear matters brought before it from any source including:

- Those referred directly by the Chief Commissioner, or the Deputy Chief Commissioner or through the Chief Commissioner by Branch Commissioners.
- Those referred through the Chief Commissioner by a District Commissioner or other person or persons involved with the incident or who witnessed the incident.
- Any other source at the discretion of the Chief Commissioner.

#### **I3.2 Procedures.**

- The members of the committee are appointed by the Chief Commissioner and should consist of, including the appointed Chairman, not less than three (3) nor more than five (5) suitably experienced Leaders, Lay supporters or Community representative members.
- The Chief Commissioner is to appoint the Chairman.
- It is advisable for the committee to include a person with technical knowledge of the particular activity if required.

#### **I3.3 Proceedings of the Committee.**

- The Chief Commissioner, on issuing direction or receiving notification of an incident must, within seven (7) days, appoint a Chairman and other members of a committee to investigate the incident.

- The appointed chairman and committee, within fourteen (14) days, should meet with all parties concerned in an attempt to clarify how & why the incident occurred and what if any changes are required to prevent a repeat or similar incident happening.
- Any party or member of the committee, if deemed beneficial to the investigation may call witnesses.
- Evidence may be given by personal appearance or alternatively in writing. However, written submissions may only be admitted at the discretion of the members of the Committee and having been received by the Chairman, and available for distribution to the other Committee members, prior to the hearing.
- At the conclusion of the meetings, discussions and deliberations, the committee is to report its findings and make any appropriate recommendations to the Chief Commissioner.
- The Chief Commissioner should within seven (7) days of receiving the committee report, act on its findings and recommendations at his discretion.
- Where it appears desirable, and in the best interests of the movement, if deemed serious enough, may result in the cancellation of the members' Adult Membership.
- In exercising his discretionary power, the Chief Commissioner should always be seen to be affording people natural justice.

#### I3.4 **Variations.**

Where incidents occur at events or locations operated by the Association then there is a distinct possibility that the severity of the incident may result in the event or location being closed until the investigation is completed.

If the breach of procedures are such that warrant further action being taken then

- The Chief Commissioner should within seven (7) days of receiving the committee report, act on its findings and recommendations at his discretion. This should include the re-issuing of the Operators Ticket if suspended, or take further action as appropriate.
- Where it appears desirable and in the best interests of the movement, such further action could involve the cancellation of an operators Operators Ticket and if deemed serious enough the cancellation of the operators Adult Membership.
- In exercising his discretionary power, the Chief Commissioner should always be seen to be affording people natural justice.

Authority: