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WESTERN AUSTRALIA DIVISIONAL WELFARE POLICY

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INTRODUCTION

Preamble: UN Youth Western Australia's Welfare Principles

UN Youth Western Australia is a community in which personal and intellectual growth, learning from others; mutual tolerance, and respect for freedom of thought and expression are principles of paramount importance.

Accepting membership into the UN Youth Western Australia community entails an obligation to promote its welfare by assuming the rights and responsibilities listed in this Policy. Each individual member of this community is responsible for his or her own actions and is expected to respect the rights of others.

Explanatory Note: About this Welfare Policy

This Welfare Policy is a binding set of rules for UN Youth Western Australia that address the health, safety, and wellbeing of its officers, volunteers, event participants, and guests.

All changes to this Welfare Policy are to be made only by the UN Youth Western Australia Executive. The Policy is considered a Bylaw under the UN Youth Western Australia Constitution.

The Welfare Policy is made up of five parts:

1. This **Introduction** section, which defines what the Welfare Policy is and to whom it applies.
2. **General Policies**, which apply to UN Youth Western Australia at all times,
3. **State/Regional Conference Policies**, which apply to the State Conference and other overnight events,
4. **Non-Residential Event Policies**, which apply to non-overnight events, like the UN Youth Western Australia Evatt Round,
5. **Arbitration Procedures**, which explains how we enforce the general and supplemental policies, who enforces them, and how they go about it.
6. **Appendices**
 - a. Appendix 1 contains the list of items that must be included in a First Aid kit at any UN Youth Western Australia Activity.
 - b. Appendix 2 contains the Participant Codes of Conduct that must be signed by participants as a condition of registration in an UN Youth Western Australia Event of any kind.

CHAPTER I: ABOUT THIS WELFARE POLICY

To who does this Policy apply?

1. The UN Youth Western Australia's Executive makes this policy pursuant to the UN Youth Western Australia Constitution. This means that the UN Youth Western Australia Constitution takes precedence if there is a conflict between it and this policy.¹
2. This policy applies to everyone who participates in a UN Youth Western Australia event and activity, including members, employees, external contractors, delegates, facilitators, and guests.
3. Participation in UN Youth Western Australia activities is conditional upon accepting these Policies. It is expected that participants will accept these conditions in writing, but their failure to do so does not exempt them from this Policy.
4. This Policy does not apply to UNYA Australia events, including Multi-Divisional Activities held in this Division's state; the National Welfare Policy governs those events.

Who interprets and enforces this policy? What rules govern them?

5. The UN Youth Western Australia Executive interprets (except during State/Regional Conferences – see 36f) and enforces this policy.
6. The UN Youth Western Australia Executive shall designate one of its officers, who shall not be the President or State/Regional Conference Convenor, as the Division's Welfare Ombudsman. This individual must have previously served as a Welfare Officer at a State/Regional Conference or a national Multi-Divisional Activity.
7. The Welfare Ombudsman is responsible for training the Executive in this Policy and leading Executive discussions arising from its enforcement.
8. All files, including all Welfare Incident reports, must be retained for 10 years. These files shall be accessible only by UN Youth Western Australia Executive officers. UN Youth Western Australia may release files only:
 - a. To Welfare Officers and Convenor/Director of an UN Youth Western Australia activity, or an UN Youth Western Australia MDA, in cases of compelling health and safety interests. Such releases must be narrowly tailored to address the specific health and safety interest implicated.
 - b. To the police and legal authorities upon legitimate request under the law.

¹ When "UN Youth Western Australia" is used alone, it refers to the Western Australian Division of UN Youth Australia, a subsidiary of the United Nations Association of Australia Western Australia Inc.

CHAPTER II: GENERAL POLICIES

About the General Policies

9. These policies apply to UN Youth Western Australia all the time – at all UN Youth Western Australia events, meetings, and in the normal course of business.
10. Violations of any of these policies are to be handled under the Arbitration Procedure described later in this Welfare Policy.

General Policy 1: Non-Discrimination

11. UN Youth Western Australia does not discriminate on the basis of:
 - a. race, colour or ethnicity,
 - b. national or ethnic origin,
 - c. sex or gender,
 - d. sexual orientation,
 - e. gender identity or expression,
 - f. religion,
 - g. disability,
 - h. pregnancy,
 - i. marital status, or,
 - j. veteran statusin the administration of policies, programs or activities; scholarship and loan awards; appointments to UN Youth Western Australia offices or activities; or other UN Youth Western Australia administered programs or employment.
12. No member or officer may discriminate on the basis of categories outlined in this Policy. Such discrimination is a breach of the Welfare Policy and may be subject to sanction.
13. Notwithstanding this policy, UN Youth Western Australia or its officers are permitted to discriminate:
 - a. on the basis of sex in the selection of delegation and facilitation teams so as to ensure that mixed-sex delegations have access to facilitators of all genders,
 - b. if such discrimination is essential to protect the health and safety of participants in its activities.
14. The Executive may, on the application of any member, review any UN Youth Western Australia decision, policy or procedure alleged to be incompatible with UN Youth Western Australia non-discrimination policy. Should the Executive make a finding of incompatibility, they shall amend said decisions, policies, or procedures so that they are compatible with this Policy.

General Policy 2: Members Code of Conduct

15. At all times, members must:
 - a. Respect the health and safety of others. This precludes acts or threats of physical violence against another person (including sexual violence) and conduct reasonably likely to endanger the physical or mental health of other persons.

- b. Respect the right of fellow members to participate in UN Youth Western Australia activities and in relationships with other members without fear, threat, or act of bullying or hazing.
- c. Reject hate speech, epithets, and racial, ethnic, sexual and religious slurs. However, the content of speech or expression is not by itself a basis for disciplinary action. Speech may be subject to discipline when it violates applicable laws or UN Youth Western Australia's regulations or policies.
- d. Refrain from stealing, damaging, defacing, or misusing the property or facilities of the Association or of others.
- e. Be honest and truthful in dealings with the Association.
- f. Cooperate fully and honestly in the Arbitration Procedure, including the obligation to comply with all sanctions thereby imposed.

General Policy 3: Harassment and Sexual Harassment

16. For the purposes of the Welfare Policy, the term "harassment" refers to any unwanted action (and the term "sexual harassment" any unwanted sexual attention) that:
- a. Involves a stated or implicit threat to the victim's membership, office in UN Youth Western Australia, selection or employment status; and/or
 - b. Has the purpose or effect of interfering with an individual's participation in UN Youth Western Australia activities or performance of their duties; and/or,
 - c. Creates an intimidating or offensive living or work environment.
17. UN Youth Western Australia regards such behaviour, whether verbal or physical, as a violation of the standards of conduct required of all persons associated with UN Youth Western Australia. Accordingly, those inflicting such behaviour on others are subject to the full range of internal disciplinary actions. Likewise, acts of retaliation shall be subject to the same range of disciplinary actions.
18. Not every act that might be offensive to an individual or a group necessarily will be considered as harassment and/or a violation of the Association's standard of conduct. In determining whether an act constitutes harassment, the totality of the circumstances that pertain to any given incident in its context must be carefully reviewed and due consideration must be given to the protection of individual rights and freedom of speech.
19. Consistent with applicable state law, no member of the Division over the age of 18 who holds a position of authority within the organization over another member of the Division under the age of 18 may engage in sexual activity (broadly defined) with that under-age member.

CHAPTER III: STATE/REGIONAL CONFERENCE POLICIES

As noted in the introduction, these are supplemental to the General Policies; but these policies apply only to specific events, as described below.

To what does this policy apply?

20. This policy applies to the *State/Regional Conference* and similar events.
21. These are events held predominantly for secondary school students that involve those students staying at a conference venue overnight. This includes the State/Regional Conference and similar events.

Planning before a State/Regional Conference

22. At least two (2) months before a State/Regional Conference, the Convenor of the Conference shall nominate, and, with the advice and consent of the Executive, appoint one Welfare Officer for every 40 participants anticipated at the Conference, such that:
 - a. There are no fewer than two Welfare Officers for the event;
 - b. All Welfare Officers are over the age of 18;
 - c. There is at least one male and one female Welfare Officer;
 - d. All Welfare Officers have current senior first aid qualifications, or more advanced medical qualifications,² by the commencement of the State/Regional Conference; and,
 - e. At least one Welfare Officer is member of the state division hosting the Conference.
23. The Welfare Ombudsman appointed by Exec shall also attend the entirety of the State/Regional Conference. They are also considered a Welfare Officer. They must not engage in any activities (including, if applicable, Welfare-related activities not related to their duties as Ombudsman) that could create the impression or reality of a conflict of interest in favour of any person attending.
24. Welfare Officers must be allocated accessible rooms in the conference venue(s) and the whereabouts of these rooms must be made known to all delegates and facilitators. No-one else may share these rooms with the Welfare Officers.
25. Welfare Officers must not hold any other role in the conference other than their role as the Welfare Officer. The Welfare Ombudsman may hold another role consistent with their duties as Ombudsman.
26. Rooms should also be set-aside for ill delegates and first aid. These rooms, if set aside, may not be used for meetings or other purposes.
27. The following rules apply to facilitator assignment at State/Regional Conferences:
 - a. Every facilitator over eighteen (18) years of age must be appropriately qualified to work with children under Western Australian law;

² These qualifications must be inclusive of the Apply First Aid module under the National Qualifications Framework, equivalent to Workplace Level 2 or Senior Certificate. The Executive shall determine whether a Welfare Officer meets or exceeds these standards.

- b. If a facilitator has a pre-existing relationship with a delegate or another facilitator, they must not allow that relationship to interfere with the execution of their duties. A facilitator in a pre-existing relationship with a delegate must not engage in any sexual activity with that delegate for the duration of the Conference; and,
 - c. Facilitator: Delegate ratios must be at least 1:8 during the day and 1:5 during the evening. Facilitators under the age of 18 do not count towards satisfaction of these ratios.
28. Registration forms for State/Regional Conferences must:
- a. Provide access to the relevant parts of the UN Youth Western Australia Welfare Policy;
 - b. Require all delegates to expressly agree to the UN Youth Western Australia Welfare Policy;
 - c. Include standard UN Youth Western Australia Medical and Consent Forms;
 - d. Include contact details of the Welfare Ombudsman for the Conference, and contact details of the Welfare Officers appointed for the event. These may be provided either on registration forms or in the Delegate Packs.
29. Before the first delegate arrives at the Conference:
- a. all facilitators must receive Welfare training, including a briefing on all details of this policy, from the Welfare Ombudsman,
 - b. the Convenor must ensure that Welfare Officers have in their possession a complete First Aid Kit containing the items listed in Appendix 1 of the Welfare Policy. They must utilize funds from the Conference's Budget to secure any missing items.
30. During the State/Regional Conference, delegates must be guaranteed eight (8) hours of sleep each evening (except for emergencies). Conference programming should be curtailed if it goes over schedule such that this requirement is met.
31. If sleeping accommodation is to be shared, delegates have the right to request and receive accommodation only with members of the same gender. They will be permitted to express this preference on the Conference registration form.

Conduct during a State/Regional Conference

- 32. No participant shall consume alcohol, drugs, or other substances at any time during the Conference except those brought to the attention of the Welfare Officers and consumed with the Welfare Officers' consent.
- 33. Smoking shall be permitted at the Conference only by facilitators with the consent of the Welfare Officers, out of the range of all delegates and guests. Facilitators shall follow the directions of the Convenor as to the appropriate times and places for smoking, and no facilitator shall permit their smoking to interfere with the execution of their duties.
- 34. A facilitator at the Conference shall not, from the date of the Conference Facilitator/Welfare Training until one week following the conclusion of the Conference:

- a. be alone with a delegate in a room with the door closed, or an enclosed space, unless it is essential and they have notified the Welfare Officers,
 - b. be the only facilitator to inhabit the same apartment or suite as a delegate,
 - c. engage in a sexual relationship with a delegate.
35. Delegates may not be transported during the conference in a private vehicle without prior parental or personal consent (if over 18) in the registration form. Exec shall issue guidance if parents or the delegate does not consent.

Roles of the Welfare Officers and Welfare Ombudsman during the Conference

36. The Welfare Ombudsman shall:
- a. Serve as the arbitrator at the Conference in accordance with the Arbitration Procedure,
 - b. Act as an ombudsman for Welfare at the Conference, resolving disputes and disagreements between Welfare Officers and between facilitators and ensuring this Policy is maintained,
 - c. Review all health information of participants and ensure that all participants receive appropriate medical care,
 - d. Observe the Conference and produce a report to the Executive detailing best Welfare practices and areas of Welfare practice that could be improved in future Conferences,
 - e. Ensure that all required records are kept of Welfare casework that occurs during the Conference,
 - f. Interpret this Policy in all cases of uncertainty, and,
 - g. Ensure that all facilitators are aware of their welfare responsibilities and are acting in accordance with this Policy.
37. Welfare Officers at State/Regional Conferences shall be responsible to caring for the mental and physical health and safety of all participants at all times.
38. Any information held by the Welfare Officers pertaining to participants is privileged and may be disclosed only to the Executive, except as otherwise provided in the Welfare Policy.

CHAPTER IV: OTHER EVENT POLICIES

As noted in the introduction, these are supplemental to the General Policies; but these policies apply only to specific events, as described below.

To what does this policy apply?

39. This policy applies to any UN Youth Western Australia event that is not UN Youth Western Australia business meeting (like an Executive or other organizational meeting) or a UN Youth Western Australia Conference.

Planning before a Non-Overnight Event

40. There must be, at any event UN Youth Western Australia runs, one facilitator over the age of 18 present with first aid qualifications equivalent to that of a Welfare Officer at the State/Regional Conference.

41. This facilitator, or, if there are several such facilitators present, the qualified facilitator appointed by the Welfare Ombudsman, shall be the Welfare Officer for that event.

Rules of Conduct during a Non-Overnight Event

42. All rules pertaining to the conduct of delegates and facilitators for State/Regional Conferences, including a total ban on drugs and alcohol without the knowledge and consent of the Welfare Officer, apply equally to a non-overnight event.

CHAPTER V: ARBITRATION PROCEDURES

How these procedures should be read

The Arbitration Procedures (or the AP) are the way UN Youth Australia prevents – and mitigates – breaches of the Welfare Policy.

This document will be laid out in steps. It is very important that everyone reads this procedure carefully and that all of the steps are followed. In addition, there are a few principles that should be considered when following the policy. They follow:

Principles of the Arbitration Procedures

43. The aim of the arbitration procedure is to create a safe environment in UN Youth Western Australia by *preventing* Welfare breaches, *mitigating* the breaches that do exist, and *caring* for our members and for their health and safety.
44. Arbitration is not to be used as a punishment. Sanctions should only be applied to mitigate existing breaches and keep our members and guests safe. Sometimes, this requires that we impose sanctions in order to deter others from behaving unacceptably. It is this deterrence – and the communication of our values it implies – that is the object of such sanctions, and not punishment for punishment's sake.
45. UN Youth Western Australia's members and guests are overwhelmingly young people in the process of maturing and developing good judgment. The arbitration procedure is designed to help this process. Sanctions should be designed to teach and provide a second chance; those who enforce those sanctions must carefully consider their own judgment and limitations as well as those of the accused.
46. We believe in the principles of the UN and in universal human rights. In our processes, UN Youth Western Australia members have all the rights we would expect of any civilized society: the rights of free speech, the right of due process, the right of the presumption of innocence, the limited right to counsel, the right to not incriminate one's self, and the rights of privacy. While our process is somewhat informal, our values must not be compromised. Everyone must be treated with dignity and respect.
47. UN Youth Western Australia will always act in full compliance with the law. While we reserve the right to proceed with this process while pending or actual legal or criminal charges are made against the persons, we nonetheless will always comply fully with police and legal officials even if such directions conflict with this Policy. Doing so enhances the safety and well-being of our members and participants.

Step 1: Starting the Arbitration Process

48. The arbitration process starts when the Welfare Policy is breached or when one UN Youth Western Australia participant complains against another by approaching a Welfare Officer or the Executive.

When is the Welfare Policy breached?

49. When any participant in any UN Youth Western Australia event or activity (defined in Chapter 1) does anything contrary to any part of the applicable Welfare Policies (the general policies, the State/Regional Conference Policy, this process, and any code of conduct the person has signed), the Welfare Policy has been breached.
50. The Welfare Policy can occasionally be breached when not at an UN Youth Western Australia event for which there is an event-specific policy. This happens when the General Policies are violated at an UN Youth Western Australia meeting or gathering or interaction of UN Youth Western Australia members in their divisional capacity.
51. When persons who happen to be UN Youth Western Australia members engage in actions that would breach these Welfare Policies but are *not* at a UN Youth Western Australia event, covered by a specific policy or otherwise, or acting in their Divisional UN Youth Western Australia capacity, then this Policy is not breached. Therefore, the conduct of members at a National event or MDA is outside of the jurisdiction of this Policy.
52. Members of other UN Youth Western Australia are bound by this policy if they breach this Welfare Policy at an UN Youth Western Australia event or otherwise engage with members of the Division in an UN Youth Western Australia capacity. UN Youth Western Australia reserves the right to treat members of other UN Youth organizations as guests and otherwise take actions necessary to pursue the goals of this Arbitration policy.

What about complaints?

53. Most complaints are that the Welfare Policy is breached, and so the Arbitration Procedure applicable to breaches applies. However, participants may use the arbitration process for disputes that don't involve breaches of the Welfare Policy.
 - a. In these cases, the arbitrator (see below), or, between Events, the Executive gets involved and helps both sides to work out their differences. They cannot impose sanctions unless both sides agree to them.
 - b. Other members of the parties' choice are encouraged to mediate disputes if they can. However, if the dispute suggests the Welfare Policy was breached, the arbitrator must be advised and the rest of the Arbitration Procedure followed.

Who is responsible for noticing a breach?

54. Everyone – delegates, facilitators, and every other participant in a UN Youth Western Australia activity – has a responsibility to watch for breaches of the Welfare Policy.

In particular, facilitators³ have a special responsibility to watch for breaches and prevent them.

55. Any facilitator possessed of reasonable suspicion that a Welfare Policy breach is occurring has a duty to investigate and, if found, to put a stop to that breach and then follow this procedure.

Step 2: Stopping the Breach and Informing the Welfare Team

Note: this step and all the remaining steps apply to UN Youth Western Australia events. See Appeals and Welfare Breaches Between Events for the resolution of breaches that occur outside of events.

What happens once a breach occurs?

56. Any facilitator when advised of a breach must immediately take all reasonable steps to prevent the breach from continuing.
57. After they have taken care to prevent the breach from continuing and protect the health of participants, the facilitator must then inform the following people of the breach and of what they have done (in order):
 - a. The Arbitrator,
 - b. The Convenor of the Event, and,
 - c. All of the other Welfare Officers.
58. For simplicity, the Arbitrator, the Convenor (if applicable), and the other Welfare Officers are referred to as the “Welfare Team” hereafter.
59. If any member of the Welfare Team cannot be contacted after reasonable effort, the person next most senior to the designated individual (in the case of the Arbitrator, see the Arbitration designation section below) will substitute for that individual.⁴ If such a substitute is put in place, they shall be replaced by the designated individual if and when that individual can be contacted and take up their duties. At least one Welfare Officer or substitute, Arbitrator or substitute, and Convenor or substitute must take charge and constitute the Welfare Team at this step.

Who is the Arbitrator?

60. The Arbitrator has overall responsibility for resolving the breach; in particular, they have sole responsibility for making findings of fact about breaches. Who the arbitrator is depends on the circumstances of the event.
61. At a State/Regional Conference, assuming they do not have a conflict of interest (see next paragraph) the Welfare Ombudsman is the Arbitrator.

³ Facilitator is used throughout to mean an UN Youth Western Australia member involved in organizing or managing or assisting in the operation of an UN Youth Western Australia event.

⁴ Thus, if the Convenor is not available the Chief of Staff or Deputy Convenor will be called, and then down the OC in order of seniority. If there are Co-Convenors, both Convenors should be informed and both must consent to sanctions. If no Welfare Officer is available, the facilitator with the most extensive health qualifications shall substitute as a Welfare Officer.

62. At a non-overnight event, the Welfare Officer is the Arbitrator.
63. The Arbitrator cannot have a conflict of interest at the time of the breach.
 - a. Conflicts of interest include but are not limited to:
 - i. any involvement in the alleged breach of the Welfare Policy,
 - ii. any relationship with the party in question beyond that generated by a normal relationship formed in the conduct of duty,
 - iii. any other relationship where it could be reasonably inferred that a conflict may arise, and/or
 - iv. any alcohol consumption on the part of the Arbitrator-designate within eight hours of the moment of the breach.
 - b. If in their own judgment, or the judgment of a majority of members of the Welfare Team, the Arbitrator-designate has a conflict of interest, or if, as above, they cannot be contacted after reasonable effort, they shall not be the Arbitrator and the next most-senior un-conflicted Welfare Officer, or, if none remain, an un-conflicted facilitator appointed by the Welfare Team, or if there is no Welfare Team, the next most senior un-conflicted member of the Executive shall become Arbitrator.
 - c. Once an un-conflicted person has been appointed Arbitrator, they remain Arbitrator until the complete resolution of the breach.

What happens once the Welfare Team (and others) are informed?

64. Once the Welfare Team are informed, they must assess the situation and take all reasonable steps, including if appropriate calling the police, to ensure that the breach has stopped, all participants are safe, and the situation is contained for the foreseeable future.
65. If the Welfare Team cannot come to consensus on the next steps, the Convenor shall make an executive decision in place of Welfare Team consensus. Such decision is strictly limited to ensuring the breach is stopped, participants are safe, and the situation is contained for the foreseeable future.
66. Participants may be questioned only by members of the Welfare Team and, at this questioning must be limited to ascertaining information necessary to prevent or contain the breach and protect the immediate health and safety of participants.

Step 3: The Arbitrator and the Inquiry Process

The breach has now been stopped, and will remain stopped for the moment. What next?

67. Once the Welfare Team has taken action to stop the breach and mitigate any damage, the next step is to investigate the entire breach and devise sanctions and long-term decisions to mitigate the harm done for the remainder of the event.
68. The Welfare Team will make arrangements for the Arbitrator to conduct an inquiry into the breach. Such an inquiry:
 - a. must not take place during times delegates are required to be asleep except in cases where if the interview is not conducted immediately there is a risk of serious physical or mental harm to a participant.
 - b. must be reasonable timely; it must conclude before the end of the Event,

- c. must not unduly interfere with the running and management of the Event.

Aims and procedure for the Inquiry

69. The aim of the inquiry is to determine the facts of the case with an eye to crafting appropriate remedies. The Arbitrator has total responsibility for the inquiry and is the sole officer able to make findings of fact for the purposes of this Procedure.
70. The Arbitrator may interview any participant or group of participants in order to ascertain the facts of the matter. In these interviews:
 - a. Any participant so interviewed has the right to bring any UN Youth Western Australia member present at the Event with them to the interview as an advisor. An interviewee may take their advisor into their confidence. Such confidences may not be broken unless in the judgment of the Arbitrator the health or safety of the interviewee or others is in jeopardy.
 - b. All persons interviewed must be advised of this policy and their rights under this policy, including rights to an advisor and right of appeal.
 - c. No-one other than the participant(s), their advisor(s), the Arbitrator, and a Welfare Team member taking notes may be present at an interview.
 - d. All persons under suspicion of perpetrating a breach of the Welfare Policy must be informed of the charges against them and provided an opportunity to provide a defence in an interview.
 - e. Participants may refuse to participate in the interview, but by doing so forfeit their right to defend themselves in an interview process.
 - f. The interview's aim is to aid in a thoughtful understanding of the facts and the totality of circumstances. Formal judicial procedure will not be used, and the Arbitrator must take care to be both informal and respectful of the participant's time and dignity.
71. A member of the Welfare Team other than the arbitrator shall be present in each interview and take full and complete notes of the discussions.
72. While the Inquiry is ongoing, the Arbitrator may require that participants abstain from particular activities if so doing will assist in the speedy and accurate conclusion of the Inquiry.

The result of the Inquiry

73. After the Arbitrator has concluded the Inquiry, they shall make findings of fact in the case. They shall identify the parts of the Welfare Policy breached (if any).
74. Findings of fact shall be established upon a preponderance of the evidence.
75. These findings of fact shall be shared with:
 - a. the Welfare Team,
 - b. the persons found in breach of the Welfare Policy and, if they are delegates at a State/Regional Conference, their group leader, and with,
 - c. persons interviewed in the course of the Inquiry.
76. The Welfare Team should reassess the decisions made in the Step 2 in light of the Arbitrator's findings and should do whatever is necessary to ensure that breach will remain stopped and not recur for the rest of the Event.

Step 4: Sanctions

What happens after the Inquiry?

77. Following the conclusion of the Inquiry, the Arbitrator shall issue sanctions or recommendations of sanctions to participants found in breach of the policy. These individuals are referred to hereafter as “respondents”.
78. Sanctions shall not be applied to any participants who were not offered an opportunity to present a defence in the inquiry.
79. In crafting sanctions or recommended sanctions, the Arbitrator must:
 - a. have regard to the Principles of the Arbitration Policy explained at the beginning of this document,
 - b. aim to craft sanctions narrowly tailored to the circumstances of the incident,
 - c. not penalize respondents who availed themselves of their rights under this policy for doing so,
 - d. consider the totality of harms created by the breach. A breach that has led to mental or physical harm is much more severe than a “victimless” crime in which no injury resulted,
 - e. send any facilitator who has breached any part of this policy pertaining to sexual activity home immediately at their own expense. This Tier 3 sanction is mandatory and therefore shall not require the concurrence of the Welfare Team and Executive.
80. When the Welfare Team’s consent is required to impose sanctions, a majority vote of the members of the Welfare Team other than the Arbitrator is sufficient.

What sanctions can be imposed?

There are three tiers of sanctions permitted under this Procedure.

81. Tier 1: Minor Sanctions

The Arbitrator may impose at their discretion one or more sanctions that in the arbitrator’s judgment do not substantially interfere with the respondent’s continued participation in the Event. These sanctions could include:

- a. The respondent may be informed their behaviour is unacceptable and given a warning.
- b. The respondent may be asked to acknowledge their misbehaviour and apologise appropriately to those they have harmed, or to the Event, or to the Association.
- c. The respondent may be conflicted away from particular other persons in group situations. This means they are not rostered, grouped or otherwise allocated into the same small group setting but nonetheless participate in the same programming. For example, the parties in conflict would not be in the same discussion group, the same MUN committee, or attend the same mix-up dinner.

82. Tier 2: Significant Sanctions

The Arbitrator may recommend, and with the concurrence of the Welfare Team impose, one or more of the following more significant sanctions:

- a. The respondent may temporarily be isolated from the larger group. This may not occur over more than one day.
- b. The respondent's parents and/or guardians may be contacted.
- c. The respondent may be excluded from particular activities in the Event but not so much so that they are effectively subject to a Tier 3 sanction.
- d. The respondent may be required to engage in some act of service to the Event to recompense their peers for their misbehaviour.
- e. The respondent may be enjoined from consuming alcohol if alcohol consumption is permissible under the policy of the Event.

83. Tier 3: Major Sanctions

The Arbitrator may recommend, and with the concurrence (a) of the Welfare Team, (b) the Divisional Executive (or if a quorum of the Divisional Executive are not present, the Divisional President):

- a. If the respondent is a delegate, they may be disqualified from prizes or awards given in consequence of the Event. This includes selection undertaken at the event for Multi-Divisional Activities.
- b. The respondent may be sent home immediately at his or her own expense.

84. All participants of the event shall be advised if a Tier 3 sanction is imposed.

85. If the Arbitrator does not recommend a particular sanction, and in the unanimous judgment of the persons who ordinarily approve that sanction such a sanction is warranted, they may impose such a sanction. Such an override shall be noted in the case file.

When and how can parents or legal guardians be informed?

86. All delegates at all Events must, as a condition of attendance, permit UN Youth Western Australia to contact their parents or guardians.

87. When such permission is given the Welfare Team shall determine the appropriate circumstances to contact parents and guardians such that:

- a. Parents and guardians are informed of all health emergencies relating to their child as soon as possible.
- b. Parents and guardians may be contacted as a Tier 2 Sanction.
- c. Parents and guardians are contacted if any Tier 3 Sanction is imposed.

88. Parents/guardians should be given full information on an incident should they be contacted.

Step 5: After the Event is Over

Sanctions have been applied, the breach is closed, and the Event is over. What next?

89. The Arbitrator must complete a report, including a completed case file for each time the Arbitration Procedure was called upon, and file the report with the Executive. The National Welfare Arbitration Committee shall be advised of any Tier 3 Sanctions imposed, including all pertinent details of the case.

90. Within one month of an Event at which a Tier 2 or 3 sanction was imposed, the Executive must review each case in which the sanction was invoked and may, as a result of the review, issue notice to the National Welfare Arbitration Committee.

Appealing decisions of the Arbitrator and the Welfare Team

91. Sanctions and findings of fact may not be appealed except in writing to the Executive after the end of the Event.
92. Likewise, members of UN Youth Western Australia may not object to a violation of the Arbitration Procedure on the part of the arbitrator except after the event, in writing, to the Executive. Should the Executive find in favour of the complainant, they may vacate the proceedings and the sanctions imposed by the proceedings.
93. The Executive shall consider appeals and other complaints in the same manner as they consider Welfare Breaches brought to their attention between Events.
94. The Executive may, if they find in favour of the respondent, expunge the record generated by the Welfare Breach and reverse any or all sanctions. The judgment of the Executive shall in all cases be final.

Severe Cases

95. All persons attracting a ban on event participation from the National Welfare Arbitration Committee shall be expelled from UN Youth Western Australia and banned from UN Youth Western Australia's events for an equivalent period. The Executive shall take such steps as to effect this provision in each individual case.
96. Any individual member of UN Youth Western Australia may request, in writing, that the Executive ban a respondent from all UN Youth Western Australia activities and events either for a period of one to five years or for life. The following procedures apply:
 - a. The Executive shall impose such a ban only if it is their judgment that the respondent is so irredeemably dangerous to the mental and/or physical health of members of UN Youth Western Australia or participants in UN Youth Western Australia events that a ban is the only reasonable recourse.
 - b. In general, a ban should be considered only if the same respondent has committed a crime or multiple infractions of the Welfare Policy for which Tier 2 or 3 sanctions or their equivalent were imposed.
 - c. A member so banned is, *ipso facto* expelled from the Division (if applicable), and thus the Executive must comply with the Constitutional procedure required to expel a member in addition to the procedures of this Policy.
 - d. Executive shall advise all members of UN Youth Western Australia of the name and appearance of any individuals who have been given such a ban.
 - e. A member banned by the Executive has no rights of appeal.
 - f. A banned person may, each year, request the Executive (and then by appeal to National Council) review their ban. Revoking a ban requires the same procedure as invoking it.

Appeals and Welfare Breaches Between Events

97. In the case of a Welfare Policy breach between Events as defined in the Arbitration Procedure's section on when this policy is breached, members of UN Youth Western Australia privy to the breach must inform the Executive (ideally the Welfare Ombudsman), which shall then conduct an investigation, issue a ruling as a committee on whether the breach occurred, what part of the policy was breached, and what sanctions are recommended.
98. The Executive shall have power, consistent with their powers under the Constitution, to take such remedies as they think fit in response to a breach, but shall not deprive any member of their privileges of membership without permitting that person the opportunity to defend themselves.

Appendices

Appendix 1: List of Required Items in a First Aid Kit

At all UN Youth Western Australia State/Regional Conferences, the Welfare Officers must have in their possession a complete First Aid Kit. Such a kit must contain, at minimum, the following items:

Quantity	Item
2	Triangular bandage
4	7.5cm conforming bandage
1	Scissors
5	Safety pin
5	Non stick dressing (5x5cm)
1	Micropore tape 2.5cm
2	Dressing pack
2	Eyepad
5	Gauze (5x5cm, 5pk)
1	Emergency thermal blanket
10	Adhesive island dressings
5	Normal saline for irrigation
2	Combine dressing (10x20cm)
2	Instant ice pack
10	Pair gloves (nitrile in sizes S, M, L)
5	Ziplock bags
20	Ibuprofen 200mg
20	Paracetamol 500mg
10	Strepsils
1	Salbutamol MDI
10	Women's sanitary pads
12	Condoms
3	Vomit Bags

Appendix 2: Code of Conduct at all UN Youth Western Australia Events

Delegates and facilitators, and/or members (as appropriate), shall be obliged to agree in writing to the following before participating in any UN Youth Western Australia Event.

Should the person in question be under the age of 18 at the time they agree to this policy, both they and their parent/guardian must sign it.

UN Youth Western Australia Participant Code of Conduct

At all times, I will:

1. Respect the health and safety of others. This precludes acts or threats of physical violence against another person (including sexual violence) and conduct reasonably likely to endanger the physical or mental health of other persons.
2. Respect the right of fellow persons to participate in UN Youth Western Australia activities and in relationships with other members without fear, threat, or act of bullying or hazing.
3. Reject hate speech, epithets, and racial, ethnic, sexual and religious slurs. However, the content of speech or expression is not by itself a basis for disciplinary action. Speech may be subject to discipline when it violates applicable laws or UN Youth Western Australia's regulations or policies.
4. Take responsibility for my own property and refrain from stealing, damaging, defacing, or misusing the property or facilities of the Association or of others.
5. Be honest and truthful in dealings with the Association, and its officers.
6. Obey all relevant parts of the UN Youth Western Australia Welfare Policy, and cooperate fully and honestly in the Arbitration Procedure, including the obligation to comply with all sanctions thereby imposed, including being sent home at my/my parents/guardians' own expense without any refund of conference fees.
7. Comply with the reasonable directions of facilitators (or, if I am a facilitator, the Event's Convenor or Director).
8. Attend all programmed events, and not leave the Event without written permission from the Event Convenor or a Welfare Officer.
9. Abide by all rules and conditions set by the Event venues.
10. Grant UN Youth Western Australia's qualified Welfare Officers permission to administer First Aid and/or medical treatment if I am injured or ill, and, if in their judgment my case requires it, to take me to a registered medical professional to administer such treatment (informing in all cases my parents/guardians should this be necessary).
11. Agree to RELEASE, HOLD HARMLESS, DEFEND AND INDEMNIFY UN Youth Western Australia and/or UN Youth Australia Inc., and its employees and officers, from and against any damage, liability, loss or claim which in any way may arise from or relate to the Event.

12. Further agree to reimburse UN Youth Western Australia and/or UN Youth Australia Inc. with respect to any claim, loss, demand, cause of action, cost or liability (including reasonable attorney's fees and expenses) which may be asserted against or incurred by UN Youth Western Australia and/or UN Youth Australia Inc. which results in any way from my participation in such Event.