**Part 2B**

**KARTING INTEGRITY**

**Simplified Minor Concerns And Complaints Handling Process**

**INVESTIGATION NOTICES**

**(STANDARDISED TEMPLATES FOR CLUB AND STATE ASSOCIATION USE.)**

**INVESTIGATION NOTICES**

**Notices should be placed on Club or State Karting Association Letterhead and sent via email.**

**Respect Karting Logos are available for downloading in the Toolkit at** [**www.karting.net.au**](http://www.karting.net.au)

**All Investigation Notices must be copied to the Club’s SKA.**

**CONTENTS OF THIS DOCUMENT INCLUDE:**

1. **NOTICE OF INVESTIGATION BY A STATE KARTING ASSOCIATION**
2. **NOTICE OF INVESTIGATION BY A CLUB**

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**NOTICE OF INVESTIGATION BY A STATE KARTING ASSOCIATION**

**TO: Name** [from KOMP]

 **Address** [from KOMP]

**Karting Australia Licence Number:** [from KOMP]

**Email:** [from KOMP]

**Mobile Phone Number:** [from KOMP]

**Karting Australia Licence Number:** [from KOMP]

**Home Club:** [Name] [from KOMP]

Karting [State] has become aware of some concerning allegations about your behaviour as a Member of Karting Australia, Karting [State] and [Club Name] (hereinafter referred to as "the Club") on or about [date].

Specifically, that you may have engaged in some serious conduct that is prohibited behaviour under:

1. Karting Australia’s Integrity Framework;
2. Child Safeguarding Policy;
3. Member Protection Policy;
4. Improper Use of Drugs and Medicine Policy;
5. Code of Conduct Policy;
6. Social Media And Acceptable Use Of Social Media Policy;
7. Competition Manipulation and Sports Wagering Policy;
8. Complaints and Discipline of Members By-law (By-law7);
9. Karting [State] Constitution;
10. Karting [State] Policies;
11. Club Constitution;
12. Club Policies.

[Karting [State] has received a report stating that [include a brief description of the second incident]. Such behaviour is unacceptable and contradicts the fundamental principles we uphold as an organisation.

We have determined that an [[internal] / [external]] investigation into these allegations is warranted prior to making a decision as to what (if any) disciplinary action should be taken. Karting [State] [will shortly appoint / has appointed [name]] as an [independent internal/external person] to investigate the allegations in accordance with Karting Australia Bylaws and to provide a report with recommendations to the State Executive].

Once the investigator that will been appointed to investigate the Allegations against you, has been appointed, they will be in direct contact with you to make arrangements with you to conduct an interview or interviews.

Please **TAKE NOTICE** that you will be required for an interview as part of the Investigation that will be conducted in accordance with Karting Australia’s Bylaws, Policies and Constitution.

**A number of important matters that relate to the Investigation are detailed on this notice.**

The Investigation is deemed to have been **commenced on the date of this Notice of Investigation**.

In accordance with the Karting Australia Constitution, **you are prohibited from participating in any karting activity on any Karting Australia licensed Track while any investigation into your behaviour, or disciplinary procedure that may result from such investigation is in progress**.

**Your Licence page on KOMP will be marked as ‘suspended’ to prevent the licence from being used pending the investigation and any Judicial Proceedings.**

**DETAILS OF THE MATTER BEING INVESTIGATED (“Alleged Incident” or “Allegations”)**

The Alleged Incident is said to have taken place on or about [date].

The Alleged Incident is said to have taken place [details of where the incident took place]

It is alleged that you have breached Karting Australia’s integrity policies [(include any further details that may be required, e.g.) including but not limited to the Member Protection Policy (the “**Policy**”)] and that in so doing, you engaged in prohibited conduct*.*

As a Karting Australia and Karting [State] Member and a Licence Holder you have agreed “*to abide by and be bound by the Rules and all KA Policies, Bylaws, Regulations, directions and procedures at all times*.” To be clear, this means:

1. The National Competition Rules.
2. Karting Australia’s Bylaws and Policies, Regulations and procedures including all directions made and instructions given in accordance with those Bylaws, Policies, Regulations and procedures.

**Please Note**

* You are being investigated in your capacity as a Member of Karting Australia and Karting [State].
* The investigation relates to behaviour that you are alleged to have engaged in that will be fully detailed
* As the investigation relates to your alleged behaviour, you may face a sanction under Bylaw 7 and/or the Karting Australia Integrity Framework, as well as the Rules and Regulations and any other applicable Bylaws of Karting Australia.
* You must give an honest account of matters that are asked of you in this investigation, or you may face sanctions.
* You have the right to decline to answer questions asked of you in limited circumstances including if you believe you will incriminate yourself.
* You have the right to have a support person present with you during the Investigation Interview.
	+ A support person cannot be a support person if he or she has ever been admitted to practise as a lawyer or has worked as a trainee lawyer.
* The interview and the circumstances giving rise to the investigation are strictly confidential – you must not communicate any information relating to this interview or the circumstances giving rise to the investigation other than to your support person or advisor and/or legal advisor who may advise you prior to the Interview or in accordance with the direction of Karting Australia.

Yours faithfully,

<<State Association / Club Name>>

<<Name of Person Writing the letter>>

<<Title>>

CC Karting Australia Integrity Unit.

**NOTICE OF INVESTIGATION BY AN AFFILIATED CLUB**

**TO: Name** [from KOMP]

 **Address** [from KOMP]

**Karting Australia Licence Number:** [from KOMP]

**Email:** [from KOMP]

**Mobile Phone Number:** [from KOMP]

**Karting Australia Licence Number:** [from KOMP]

**Home Club:** [Name] [from KOMP]

[Club Name] (hereinafter referred to as "the Club") has become aware of some concerning allegations about your behaviour as a Member of Karting Australia, Karting [State] and on or about [date].

Specifically, that you may have engaged in some serious conduct that is prohibited behaviour under:

1. Karting Australia’s Integrity Framework;
2. Child Safeguarding Policy;
3. Member Protection Policy;
4. Improper Use of Drugs and Medicine Policy;
5. Code of Conduct Policy;
6. Social Media And Acceptable Use Of Social Media Policy;
7. Competition Manipulation and Sports Wagering Policy;
8. Complaints and Discipline of Members By-law (By-law7);
9. Karting [State] Constitution;
10. Karting [State] Policies;
11. Club Constitution;
12. Club Policies.

The Club has received a report stating that [include a brief description of the incident, and to all previously issued warning letters]. Such behaviour is unacceptable and contradicts the fundamental principles we uphold as an organisation.

We have determined that an investigation into these allegations is warranted prior to making a decision as to what (if any) disciplinary action should be taken. The Club has appointed [name] to investigate the allegations in accordance with Karting Australia Bylaws, Club Rules, and Constitution and to provide a report with recommendations to the [Club Executive].

Please **TAKE NOTICE** that you will be required for an interview as part of the Investigation that will be conducted.

**DETAILS OF THE MATTER BEING INVESTIGATED (“Alleged Incident” or “Allegations”)**

The Alleged Incident is said to have taken place on or about [date].

The Alleged Incident is said to have taken place [details of where the incident took place]

It is alleged that you have breached Karting Australia’s integrity policies [(include any further details that may be required, e.g.) including but not limited to the Member Protection Policy (the “**Policy**”)] and that in so doing, you engaged in prohibited conduct*.*

As a Karting Australia Member and a Licence Holder you have agreed “*to abide by and be bound by the Rules and all KA Policies, Bylaws, Regulations, directions and procedures at all times*.” To be clear, this means:

1. The National Competition Rules.
2. Karting Australia’s Bylaws and Policies, Regulations and procedures including all directions made and instructions given in accordance with those Bylaws, Policies, Regulations and procedures.

As a [name] Club Member you have agreed to abide by an be bound by the Constitution and Rules of the [name] Club.

**Please Note**

* You are being investigated in your capacity as a Member of Karting Australia, and [name] Club.
* The investigation relates to behaviour that you are alleged to have engaged in that will be fully detailed
* As the investigation relates to your alleged behaviour, you may face a sanction under Bylaw 7 and/or the Karting Australia Integrity Framework, as well as the Rules and Regulations and any other applicable Bylaws of Karting Australia, the Constitution and Rules of the [name] Club.
* You must give an honest account of matters that are asked of you in this investigation, or you may face sanctions.
* You have the right to decline to answer questions asked of you in limited circumstances including if you believe you will incriminate yourself.
* You have the right to have a support person present with you during the Investigation Interview.
	+ A support person cannot be a support person if he or she has ever been admitted to practise as a lawyer or has worked as a trainee lawyer.
* The interview and the circumstances giving rise to the investigation are strictly confidential – you must not communicate any information relating to this interview or the circumstances giving rise to the investigation other than to your support person or advisor and/or legal advisor who may advise you prior to the Interview or in accordance with the direction of Karting Australia.

Yours faithfully,

<<State Association / Club Name>>

<<Name of Person Writing the letter>>

<<Title>>

CC Karting [State]