



**ROYAL YACHT CLUB OF VICTORIA**  
**MEMBER PROTECTION POLICY**

**October 2017**

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## **MEMBER PROTECTION POLICY**

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### **1. Introduction**

#### **Core Values**

**Trust and Integrity** - We will make decisions with an ethical and honest mindset for the benefit of the Club and its members.

**Passionate and Committed** - We will work with a can-do attitude and be committed and quality outcomes in what we provide and deliver to our members and guests.

**Respectful and Considerate** - We will respect people from all walks of life and be considerate of the needs of our members, guests, the community and environment that we interact with.

**Progressive yet true to our history and traditions** - We will continue to be progressive in our thinking to ensure we prosper and grow - while keeping in mind strong links to our famous past.  
**Friendship and Fellowship** - having a friendly club atmosphere for members and visitors alike.

#### **Mission Statement**

*The Royal Yacht Club of Victoria will develop and foster the sport of sailing and provide quality facilities and services for its members and their guests.*

### **2. Purpose of Our Policy**

The main objective of our Member Protection Policy (policy) is to maintain responsible behaviour and the making of informed decisions by participants in this club. It outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from abuse. Our policy informs everyone involved in our club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in our club's activities.

### **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**

Our policy covers unfair decisions (e.g. team selection) and actions, breaches of our code of behaviour and behaviour that occurs at practice, in the club rooms, at social 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 or there is suspicion of harm towards a child or young person.

### **5. Club Responsibilities**

We will:

- implement and comply with our policy;
- promote our policy to everyone involved in our club;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy every 12-18 months; and
- seek advice from and refer serious issues to our State Association.

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 our State Association or national body request to be referred to them.

### **6. Individual Responsibilities**

Everyone associated with our club 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.

## 7. Anti-harassment, Discrimination and Bullying

Our club opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with 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.

Our club 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).

## 8 Inclusive practices

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

### 8.1 People with a disability

Where possible we will include people with a disability in our club. We will make reasonable adaptations (e.g. modifications to equipment and rules) to enable participation.

### 8.2 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).

### 8.3 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 take action over any homophobic behaviour.

### 8.4 Pregnancy

Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of utmost importance in their decision making about the way they participate in our sport. We recommend pregnant women to consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation.

## 9. Responding to Complaints

### 9.1 Complaints

Our club takes all complaints about on and off-water behaviour seriously. Our club will handle complaints based on the principles of procedural fairness (natural justice), 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 (give their side of the story);
- irrelevant matters will not be taken into account;
- decisions will be unbiased and fair; and
- any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to our State Association.

However, complaints under this policy cannot be handled concurrently with any other process that is addressing the complainant's matter or related matter e.g a Rule 15.1 hearing.

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

### **9.2 Complaint Handling Process**

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

- listen carefully and ask questions to understand the nature and extent of the problem;
- ask what the complainant would like to happen;
- explain the different options available to help resolve the problem;
- take notes; and
- 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 our State Association; 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 our State Association 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 our State Association's recommendations.

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

### **9.3 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;
- 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.

#### **9.4 Appeals**

The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by our club to our State Association. 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.

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#### **Attachment 1: CODES OF BEHAVIOUR**

### **PART A: CODES OF BEHAVIOUR**

Note: Codes of behaviour are generally not binding on non-members such as parent/guardians and spectators unless they have signed the codes or other form/document agreeing to be bound by the codes and the member protection policy.

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#### **Attachment A1: General Code of Conduct**

The Royal Yacht Club of Victoria endorses the following code of conduct for members, service providers and employees, particularly those responsible for activities involving members under the age of 18 years.

As a Royal Yacht Club of Victoria cardholder, service provider or employee 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, Royal Yacht Club of Victoria'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 Royal Yacht Club of Victoria 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 Royal Yacht Club of Victoria into disrepute.

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- 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.

## **Attachment A2: 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.

## **Attachment A3: 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.

#### **Attachment A4: 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. Applaud your opponents when they get one up on you.
- 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.

### **Attachment A5: 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.

### **Attachment A6: 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.

### **Attachment A7: Spectator Code of Conduct**

Spectators should:

- Applaud good performance and efforts from all sailors, boating participants and teams. Congratulate all sailors/boating participants on their performance regardless of the event's outcome.
- Respect the decisions of officials and teach young people to do the same.
- Never ridicule or scold a young sailor for making a mistake. Positive comments are motivational.
- 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 (ie 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 2: REPORTING FORMS****RECORD OF COMPLAINT**

|   |   |  |           |
|---|---|--|-----------|
| Name of person receiving complaint          |   |  | Date: / / |
| Complainant's Name                          | <input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18  |  |           |
| Complainant's contact details               | Phone:<br>Email:  |  |           |
| Complainant's role/status in Club           | <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent<br><input type="checkbox"/> Sailor/boating participant <input type="checkbox"/> Spectator<br><input type="checkbox"/> Coach/Instructor or Assistant <input type="checkbox"/> Support Personnel<br><input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other<br><input type="checkbox"/> Official .....<br> |  |           |
| Name of person complained about             | <input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18  |  |           |
| Person complained about role/status in Club | <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent<br><input type="checkbox"/> Sailor/boating participant <input type="checkbox"/> Spectator<br><input type="checkbox"/> Coach/Instructor or Assistant <input type="checkbox"/> Support Personnel<br><input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other<br><input type="checkbox"/> Official .....<br> |  |           |
| Location/event of alleged issue             |   |  |           |
| Description of alleged issue                |   |  |           |

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|   |   |
|---|---|
| Nature of complaint<br>(category/basis/grounds)<br><br>Can tick more than one box | <input type="checkbox"/> Harassment or <input type="checkbox"/> Discrimination<br><input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods<br><input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse<br><input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse<br><input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation<br><input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision<br><input type="checkbox"/> Other ..... |
| What they want to happen to fix issue   |   |
| Information provided to them  |   |
| Resolution and/or action taken  |   |
| Follow-up action  |   |