

# Lake Cootharaba Sailing Club Inc



## Member Protection Policy

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## Part A                      Member Protection Policy

This policy needs to be read in conjunction with the *Australian Sailing Member Protection Policy October 2016*, available at <http://www.sailing.org.au/member-protection-policy-and-procedures-full-documentation/>

### **1. Preface:**

The Member Protection Policy of our governing body, Australian Sailing, guides overall member protection. This policy puts in place values, principles and procedures pertaining specifically to our club.

At Lake Cootharaba Sailing Club Inc. we strive to provide world-class sailing competition in a safe, friendly, family environment. To this end, we are committed to providing an environment that is safe, fair and nurturing for all members and visitors at our club. This includes committee members, sailors, volunteers, parents and spectators.

The development of this policy provides the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our club.

As part of this commitment, Lake Cootharaba Sailing Club Inc. will take disciplinary action against any person in breach of this policy.

**Introduction.** (Please refer to AS MPP for AS Policy statement.)

### **2. Purpose of this Policy.**

This Member Protection Policy ("policy") aims to assist Lake Cootharaba Sailing Club 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 we will take to eliminate discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, the policy allows LCSC to take disciplinary action against any person bound by this policy if they breach the policy.

### **3. Who is bound by this Policy:**

(Refer AS MPP for Full List to whom the AS MPP applies.)

1. All Members of the Executive Committee of LCSC
2. All Classes of Members of Lake Cootharaba Sailing club.
3. All athletes, coaches, officials and other personnel participating in events and activities sanctioned by the Club.
4. All parents or guardians of participants in events or activities sanctioned by the Club.
5. All race officials and other officials involved in the regulation of events or activities sanctioned by the club.

### **4. Organisational Responsibilities.**

It is a requirement of AS and YQ that LCSC must:

4.1 adopt, implement and comply with this policy

Original LCSC Document dated July 2007

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- 4.2 ensure that this policy is enforceable
- 4.3 publish, distribute and promote this policy and the consequences of any breaches of the policy
- 4.4 promote and model appropriate standards of behaviour at all times
- 4.5 deal with any complaints made under this policy in an appropriate manner
- 4.6 deal with any breaches of this policy in an appropriate manner
- 4.7 recognise and enforce any penalty imposed under this policy
- 4.8 ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies
- 4.9 use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour [e.g. Member Protection Information Officers]
- 4.10 monitor and review this policy at least annually.

## **5. Individual Responsibilities:**

Individuals bound by this policy must:

- 5.1 make themselves aware of the contents of this policy;
- 5.2 comply with all relevant provisions of the policy, including any codes of conduct and the steps for making a complaint or reporting possible child abuse set out in this policy;
- 5.3 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;
- 5.4 place the safety and welfare of children above other considerations;
- 5.5 be accountable for their behaviour: and,
- 5.6 comply with any decisions and/or disciplinary measures imposed under this policy.

## **6. Position Statements.**

### **6.1 Child protection**

Australian Sailing and its State Associations are committed to the safety and well-being of all children and young people who participate in our sport or access our services. We support the rights of the child and will act at all times to ensure that a child-safe environment is maintained.

We acknowledge the valuable contribution made by our staff, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

The Club has a Child Safety Code of Conduct. The Policy is available for viewing at both the Clubhouse and on the Clubs website at; <https://lcsc.org.au/members/#documents>

(Please refer to AS MPP sections 6.1.1 through 6.1.8 for further details on Child Protection.)

### **6.2 Taking images of children**

There is a risk that images of children may be used inappropriately or illegally.

Australian Sailing and its State Associations require that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own. They should also make sure the parent/guardian understands how the image will be used.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets, which we control or are used in connection with our sport.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent/guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child. We will only use images of

children that are relevant to our sport and we will ensure that they are suitably clothed in a manner that promotes participation in the sport. We will seek permission from the parents/guardians of the children before using the images. We require our member associations and clubs to do likewise.

### **6.3 Anti-discrimination and harassment**

Australian Sailing and its State Associations are committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination and harassment.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

Please refer to AS MPP sections 6.3.2 through 6.3.3. for further details regarding discrimination and harassment.

Please refer to AS MPP for the following sections:

6.4 Intimate relations

6.5 Pregnancy

6.6 Gender Identity

6.7 Responsible Service and consumption of Alcohol

6.8 Bullying

6.9 Social Networking.

## **7. Complaints procedures**

### **7.1 Handling complaints**

Australian Sailing and its State Associations aim to provide a simple, confidential, and trustworthy procedure for resolving complaints based on the principles of procedural fairness.

Any person (a complainant) may report a complaint about a person, people or organisation bound by this policy (respondent) if they feel they have been discriminated against, harassed, bullied or there has been any other breach of this policy.

In the first instance, complaints should be reported to a Member Protection Information Officer. These can be found through your club or by contacting Australian Sailing. The Commodore of the LCSC is the PMIO.

The lowest level at which a matter can be dealt with shall always be preferred. Therefore if a complaint relates to behaviour or an incident that occurred at the:

- Club or class level or involves people operating at the club or class level, then the complaint should be reported to and handled by the relevant club in the first instance.
- Where a complaint occurs and isn't able to be handled by a club, is considered a serious case, the matter occurred at a national event, or for any other reason, then the matter is to be referred to Australian Sailing.

A complaint may be handled informally or formally. The complainant may indicate his or her preferred option and the Member Protection Information Officer should consider whether that is an appropriate way to handle the particular complaint. For example, the law may require that the complaint/allegation be reported to an appropriate authority.

All complaints will be dealt with promptly, seriously, sensitively and confidentially. Our procedures for handling and resolving complaints are outlined in Attachment D1.

Individuals and organisations may also seek to have their complaint handled by an external agency under anti - discrimination, child protection, criminal or other relevant legislation..

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## **7.2 Improper complaints and victimisation**

Australian Sailing and its State Associations aim to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against any person making a complaint.

We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures may be undertaken in respect of a person who harasses or victimises another person for making a complaint or supporting another person's complaint.

If at any point in the complaint handling process the Member Protection Information Officer considers that a complainant has knowingly made an untrue complaint, or the complaint is malicious or inappropriately intended to cause distress to the respondent, the matter may be referred in writing to the Australian Sailing Board for review and appropriate action, including possible disciplinary action against the complainant.

## **7.3 Mediation**

Australian Sailing and its State Associations aim to resolve complaints quickly and fairly. Complaints may be resolved by agreement between the people involved with no need for disciplinary action.

Mediation is a confidential process that allows those involved in a complaint to discuss the issues or incident in question and come up with mutually agreed solutions. It may occur before or after the investigation of a complaint.

If a complainant wishes to resolve the complaint with the help of a mediator, the Member Protection Information Officer will, in consultation with the complainant, arrange for an independent mediator where possible. We will not allow lawyers to participate in the mediation process.

More information on the mediation process is outlined in Attachment D2.

## **7.4 Tribunals**

In accordance with Australian Sailing rules a Tribunal may be convened to hear a proceeding:

- referred to it by the Australian Sailing CEO;
- for an alleged breach of this policy .

The Tribunal procedure is outlined in Attachment D4.

A respondent may lodge an appeal to the Appeal Tribunal in respect of a Tribunal decision. The decision of the Appeal Tribunal is final and binding on the people involved. Our appeals process is outlined in Attachment D4.

Every organisation bound by this policy will recognise and enforce any decision of a Tribunal or Appeal Tribunal under this policy.

## **8. What is a breach of this Policy**

It is a breach of this policy for any person or organisation bound by this policy to do anything contrary to this policy, including but not limited to:

8.1 breaching the Codes of Behaviour (see Part B of this policy);

8.2 bringing the sport and/or Australian Sailing and/or its State Associations into disrepute, or acting in a manner likely to bring the sport and/or Australian Sailing and/or its State Associations into disrepute;

8.3 failing to follow Australian Sailing and/or its State Associations policies (including this policy) and our procedures for the protection, safety and well-being of children;

8.4 discriminating against, harassing or bullying (including cyber-bullying) any person;

8.5 victimising another person for making or supporting a complaint;

8.6 engaging in an inappropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;

8.7 verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;

8.8 disclosing to any unauthorised person or organisation any Australian Sailing and/or its State Associations information that is of a private, confidential or privileged nature;

8.9 making a complaint that they know to be untrue, vexatious, malicious or improper;

8.10 failing to comply with a penalty imposed after a finding that the individual or organisation has breached this policy; and

8.11 failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

## **9. Disciplinary measures**

Australian Sailing and its State Associations may impose disciplinary measures on an individual or organisation for a breach of this policy. See SA MPP sections 9.1 – 9.3 for details.

## **10. Dictionary**

See AS MPP, Section 10, for definitions and meanings of words used in this policy.

## **PART B: 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.*

We seek to provide a safe, fair and inclusive environment for everyone involved in our organisation and in our sport.

To achieve this, we require certain standards of behaviour by players/athletes, coaches, officials, administrators, parents/guardians (of child participants) and spectators.

Our codes of behaviour are underpinned by the following core values.

- To act within the rules and spirit of our sport.
- To display respect and courtesy towards everyone involved in our sport and prevent discrimination and harassment.
- To prioritise the safety and well-being of children and young people involved in our sport.
- To encourage and support opportunities for participation in all aspects of our sport.

## **ATTACHMENTS**

Attachment B1: **General Code of Conduct**

Attachment B2: **Administrator (volunteer) Code of Conduct**

Attachment B3: **Coach and Instructors Code of Conduct**

Attachment B4: **Sailing/Boating Participant Code of Conduct**

Attachment B5: **Officials Code of Conduct**

Attachment B6: **Parent/Guardian Code of Conduct**

Attachment B7: **Spectator Code of Conduct**

### Attachment B1: General Code of Conduct

Australian Sailing and its State Associations 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.

As an individual possessing a valid Australian Sailing number (see definition of Member), a Financial Member of the Lake Cootharaba Sailing Club, a service provider or an 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 adherence 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, a State Association 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, a State Association 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.

### **Attachment B2: 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 B3: 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 and the Australian Sailing Anti-Doping Policy.
- 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 B4: 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 Policy.
- 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 B5: 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 B6: 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 B7: 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 (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.

### **Attachments C1 & C2**

C1– Member Protection Declaration and C2 -Working with Children Check Requirements:  
Please refer AS MPP. <http://www.sailing.org.au/wp-content/uploads/2013/12/160321-AS-MPP-Final.pdf>

#### **Part D: Complaint Handling Procedures:**

We will deal with all complaints in a fair, timely and transparent manner. All complaints will be treated seriously.

We will provide individuals with a formal and informal process to resolve the matter, along with access to an external complaint handling body, based on the nature of the complaint and our rules and regulations.

We also provide an appeals process for those matters.

We will maintain confidentiality where possible and as provided in this policy and seek to ensure that no one is victimised for making, supporting or providing information about a complaint.

#### **ATTACHMENTS**

Attachment D1: Complaints procedure

Attachment D2. Mediation

Attachment D3. Investigation procedure

Attachment D4. Tribunal procedure

#### **Attachment D1: COMPLAINTS PROCEDURE**

Australian Sailing and its State Associations are committed to supporting people associated with our sport to make and resolve any complaints they may have in a fair, timely and effective way.

**We will endeavour to deal with complaints on a confidential basis.** We will not provide information about the complaint to another person without the complainant's consent, except if the law requires us disclose this information or it is necessary to properly deal with the complaint. To ensure fairness for everyone involved, we will provide the full details of the complaint to the person or people against whom the complaint has been made and ask for their response. As a result, it may be difficult for us to resolve complaints made anonymously.

We will provide **informal and formal procedures** to deal with complaints. Individuals and organisations can also make **complaints to external organisations** under anti-discrimination, child protection and other relevant laws.

#### **Informal approaches**

**Step 1: Talk with the other person** (if safe, reasonable and appropriate)  If you feel confident and comfortable to do so, you can approach the other person to discuss the issues and try and resolve the problem directly.

### **Step 2: Contact a Member Protection Information Officer**

We encourage you to talk with one of our Member Protection Information Officers (MPIOs) [The Commodore is the MPIO for LCSC] if:

- step 1 (above) is not appropriate;
- you are not sure how to handle the problem by yourself;
- you want to talk confidentially with someone and find out what options are available to address your concern; or
- the concern continues after you approached the other person.

The MPIO will:

- ask how you would like your concern to be resolved and if you need support
- seek to provide different options for you to address your concern
- act as a support person, if you wish
- refer you to an appropriate person (e.g. a mediator) to help you address your concern, if appropriate
- inform the relevant government authorities and/or police, if required by law to do so
- where possible and appropriate, maintain confidentiality.
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### **Step 3: Decide how to address your concern**

After talking with the MPIO, you may decide:

- there is no problem;
- the problem is minor and you do not wish to take the matter forward;
- to try and resolve the problem yourself, with or without a support person;
- to resolve the problem with the help of someone impartial, such as a mediator; or
- to resolve the matter through a formal process.

**Formal approaches:** Please refer to AS MPP for further information regarding Formal Complaints Procedure, Mediation, Investigation procedure and Tribunal procedure.

## **PART E: REPORTING REQUIREMENTS AND DOCUMENTS/FORMS**

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We will ensure that all the complaints we receive, both formal and informal, are properly documented. This includes recording how the complaint was resolved and the outcome of the complaint.

This information, and any additional records and notes, will be treated confidentially (subject to disclosure required by law or permitted under this policy) and stored in a secure place.

We will treat any allegation of child abuse or neglect promptly, seriously and with a high degree of sensitivity.

We will ensure that everyone who works with our organisation in a paid or unpaid capacity understands how to appropriately receive and record allegations of child abuse and neglect and how to report those allegations to the relevant authorities in their state or territory.

**ATTACHMENTS:**

**Download forms from <http://www.sailing.org.au/wp-content/uploads/2013/12/160321-AS-MPP-Final.pdf>**

Attachment E1: Record of informal complaint

Attachment E2: Record of formal complaint

Attachment E3: Handling an allegation of child abuse

Attachment E4: Confidential record of child abuse allegation