



Coves Yacht Club Inc

A0025908

MEMBER PROTECTION POLICY

June 2014



CONTENTS

PAGE

POLICY

1. Introduction
 2. Purpose of Our Policy
 3. Who Our Policy Applies To
 4. Extent of Our Policy
 5. Club Responsibilities
 6. Individual Responsibilities
 7. Anti-Harassment, Discrimination and Bullying
 8. Inclusive Practices
 - 9.1 People with a Disability
 - 9.2 People from Diverse Cultures
 - 9.3 Sexual & Gender Identity
 - 9.4 Pregnancy
 9. Protection of Children
 - 7.1 Child Protection
 - 7.2 Supervision
 - 7.3 Transportation
 - 7.4 Taking Images of Children
- Responding to Complaints
- 10.1 Complaints
 - 10.2 Complaint Handling Process
 - 10.3 Disciplinary Measures
 - 10.4 Appeals

Attachment 1: Working With Children Check Requirements

- 1.2. Member Protection Declaration
- 1.3. Working with Children Check Requirements

Attachment 2: Codes of Behaviour

Attachment 3: Reporting Forms



MEMBER PROTECTION POLICY

1. Introduction

Members and visitors attending Cowes Yacht Club socially or in a volunteer capacity can reasonably expect that they will be treated in an appropriate manner. No person attending the Club should be subject to anyone else's discriminatory or harassing behaviour nor should they impose such behaviour on others.

Cowes Yacht Club accepts its responsibility to support appropriate behaviour on its premises. During on-water sailing activities the onus is on the skipper, boat owner and crew to support a sailing environment of mutual respect.

Cowes Yacht Club is committed to supporting an environment which is free from illegal discrimination and harassment under the *Equal Opportunity Act 2010 (Vic)*, **and other applicable State and Commonwealth legislation** and acknowledges that it is illegal and unacceptable for people to be harassed because of one or more of the following attributes-: age, disability, gender identification, sexual orientation, marital, parental or carer status, physical features, political beliefs, pregnancy, race, or religious beliefs.

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 **ordinary members**, committee members, coaches, race officers, sailors, parents and spectators, **visitors, guests and contractors**.

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 during racing, in the club rooms, at social events organised or sanctioned by the club and during events run at other clubs. 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;
- if necessary, seek advice from Yachting Victoria Member Protection Officers; and
- use the disputes and mediation procedures set out in the Rules of Cowes Yacht Club to resolve any dispute between the Club and any member covered by this policy;
- .

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 or national body request to be referred to them.



6. Individual Responsibilities

Everyone associated with our club must:

1. Comply with the standards of behaviour outlined in our policy;
2. Treat others with respect;
3. Always place the safety and welfare of children above other considerations;
4. Be responsible and accountable for their behaviour;
5. Follow the guidelines outlined in this policy and in the Rules of Cowes Yacht Club 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

Cowes Yacht 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 any type of electronic communication technologies, included, but not limited to, VHF radio, telephone, internet, email, text messaging or social media.

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.

Sexual harassment is unwelcome, uninvited and unreciprocated conduct of a sexual nature which is personally offensive to the recipient. It is often an expression of improper use of power by one person over another. Sexual harassment can result in embarrassment, fear, stress and can result in a member not wanting to attend the Club or resigning their's or their family's membership.

Harassment can take on the following forms

- Offensive jokes, suggestions or comments of a sexual nature
- Offensive hand or body gestures
- Offensive staring or leering
- Distribution or display of material or telephone calls which are offensive or obscene, including material which has been sent received or displayed on electronic equipment
- Unwelcome physical contact such as brushing against a person, pinching or patting
- Unwanted advances, interest, propositions or demands
- Intimidation, bullying, abuse or assault

Cowes Yacht 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



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 Health and Wellbeing

Participants, or Parents/guardians of children, should consider personal health risks to themselves or their child before involvement themselves in Club activities.

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. Protection of Children

9.1 Child Protection

Coves Yacht Club is committed to the safety and wellbeing of all children and young people who are members of, or visitors to the Club and participating in sporting or social events. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our committee members, members and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

Coves Yacht Club acknowledges that our committee members, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. Coves Yacht Club aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

9.1.1 Identifying and Analyse Risk of Harm

Coves Yacht Club will develop and implement a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly the organisation is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another person.

9.1.2 Develop Codes of Conduct for Adults and Children

Coves Yacht Club will ensure that it has codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the Club's care. Coves Yacht Club will also implement a code of conduct to address appropriate behaviour between children.

The code(s) of conduct will set out professional boundaries, ethical behaviour and unacceptable behaviour. (See Part B)

7.1.3: Choose Suitable Volunteers

Coves Yacht Club will ensure that it takes all reasonable steps to ensure that it selects the most suitable and appropriate volunteers to work with children.

This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of selecting and using volunteers who are unsuitable to work with children.



Coves Yacht Club will ensure that working with children checks/criminal history assessments are conducted for volunteers working with children, where an assessment is required by law.

If a criminal history report is obtained as part of their screening process, Coves Yacht Club will ensure that the criminal history information is dealt with in accordance with relevant state requirements. (See Part C)

9.1.4 Support, Train, Supervise and Enhance Performance

Coves Yacht Club will ensure that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

9.1.5 Empower and Promote the Participation of Children in Decision-Making and Service Development

Coves Yacht Club will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

9.1.6 Report and Respond Appropriately To Suspected Abuse and Neglect

Coves Yacht Club will ensure that volunteers and members are able to identify and respond to children at risk of harm.

Coves Yacht Club will make all volunteers and members aware of their responsibilities under respective state laws if they have suspicion on reasonable grounds that a child has been or is being abused or neglected. (See Part E)

In addition to any legal obligation, if any person feels another person or the organisation bound by this policy is acting inappropriately towards a child or is breaching the code(s) of practice set out they may make an internal complaint. Please refer to our complaints procedure in the Rules of Coves Yacht Club. This will explain what to do about the behaviour and how Coves Yacht Club will deal with the problem.

9.2 Supervision

Members under the age of [12 years] must be supervised at all times by a responsible adult. Our Club will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of [12 years] is unsupervised, they should assume responsibility for the member's safety until the parent/guardian or supervisor can be found.

Parents must turn up on time to collect their child for reasons of courtesy and safety. If it appears a member will be left alone at the end of a training session with just one child, they will ask another member to stay until the child is collected.

9.3 Transportation to and from events

Parents/guardians are responsible for transporting their children to and from Club activities (e.g. practice and races).

Where our Club makes arrangements for the transportation of children (e.g. for sailing events at other clubs), we will conduct a risk assessment that includes ensuring that there are sufficient numbers of escorting safety boats, that are adequately insured, that the skipper and crew are appropriately experienced and trained and appropriate safety measures are available.

9.4 Taking Images of Children

Images of children can be used inappropriately or illegally. Coves Yacht Club requires that members, wherever possible, obtain permission from a child's parent/guardian before taking an



image of a child that is not their own and ensure that the parent knows the way the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If Cowes Yacht Club uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. We will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by pedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc.

10. Responding to Complaints

10.1 Complaints

Our Club takes all complaints about on and off-field 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;
- more serious complaints will be dealt with in accordance with the dispute and mediation provisions of the Rules of Cowes Yacht Club; and
- any penalties imposed will be fair and reasonable.

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.

10.2 Complaint Handling Process

When a complaint is received by our Club, the person receiving the complaint 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 will be done in accordance with the Rules of Cowes Yacht Club, Part 5 – Disputes and Resolution. 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 Yachting Victoria; and/or
- referring the complainant to an external agency such as the Dispute Settlement Centre of Victoria, Victoria Police or anti-discrimination agency.

In situations where a complaint is referred to Yachting Victoria 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 Yachting Victoria'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.

10.3 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 fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;
- Be determined by the Rules of Cowes Yacht Club and Code of Conduct.

Possible measures that may be taken include:

- verbal and/or written apology;
- counselling to address behaviour;
- suspension or termination of membership, participation or engagement in a role or activity; or
- any form of discipline provided for in the Rules of Cowes Yacht Club, Part 4 – Discipline, Suspension and Expulsion of Members.

10.4 Appeals

The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by our Club in accordance with the Rules of Cowes Yacht Club.



Attachment 1.1: MEMBER PROTECTION DECLARATION

Our Club has a duty of care to all those associated with our Club. As a requirement of our Member Protection Policy, we must enquire into the background of those who undertake any coaching or regular unsupervised contact with people under the age of 18 years.

I (name) of
..... (address) born/...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for acts of violence, dishonesty, sexual offences, or offences related to children.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving harassment, other forms of harassment or acts of violence, child abuse, or sexual misconduct.
4. To my knowledge there is no other matter that the Club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me as a volunteer.
5. I will notify the Commodore of Coves Yacht Club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the *State/Territory of*
on/...../.....(date) Signature

Parent/Guardian Consent (in respect of a person under the age of 18 years)

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name:.....

Signature:.....

Date:



Attachment 1.2: WORKING WITH CHILDREN CHECK REQUIREMENTS

Working with Children Checks aim to create a child-safe environment and to protect children and young people involved in our sport from physical and sexual harm.

They assess the suitability of people to work with children and young people and can involve:

- criminal history checks
- signed declarations
- referee checks, and
- other relevant background checks to assess a person's suitability to work with children and young people.

Working with Children Check requirements vary across Australia. [Fact Sheets](#) for each state and territory are available on the Play by the Rules website: www.playbytherules.net.

Detailed information, including the forms required to complete a Working with Children Check, are available from the relevant agencies in each state and territory.

Victoria

Contact the Department of Justice

Website: www.justice.vic.gov.au/workingwithchildren

Phone: 1300 652 879



Travelling to other states or territories

It is important to remember that when travelling to other states or territories, representatives of sporting organisations must comply with the legislative requirements of that particular state or territory.

In October 2011 at the Standing Council on Community, Housing and Disability Services, Commonwealth, state and territory ministers agreed to introduce, by late 2012, national exemptions to Working with Children Checks for paid employees and volunteers who are required to cross state or territory borders for work related purposes.

These exemptions will be for up to 30 days in any 12 month period and will enable workers to participate in national and inter-jurisdictional activities on a short-term basis. This means that volunteers and workers with a valid check in their home state or territory will be able to participate in short-term activities across state and territory borders without the need for additional checks.

The Australian Sports Commission will provide more information as soon as it becomes available.



Cowes yacht club



Attachment 2: CODES OF BEHAVIOUR

Cowes Yacht Club Inc

A0025908

CODE OF BEHAVIOUR

This Code of Behaviour aims to set out the minimum standards for anyone involved in sailing at Cowes Yacht Club. It should apply when playing, training or taking part in club-sanctioned activities.

- Act within the rules and spirit of yacht racing in particular, and sailing in general.
- Promote fair play over winning at any cost.
- Encourage and support opportunities for people to learn appropriate behaviour and skills.
- Support opportunities for participation in all aspects of sailing.
- Treat each person as an individual.
- Show respect and courtesy to all involved with sailing.
- Respect the rights and worth of every person, regardless of their age, race, gender, ability, cultural background, sexuality or religion.
- Respect the decisions of race officers and club officials.
- Wherever practical, avoid unaccompanied and unobserved one-on-one activity (when in a supervisory capacity or where a power imbalance exists) with people under the age of 18.
- Display appropriate and responsible behaviour in all interactions.
- Display responsible behaviour in relation to alcohol and other drugs.
- Act with integrity and objectivity, and accept responsibility for your decisions and actions.
- Ensure your decisions and actions contribute to a safe environment.
- Ensure your decisions and actions contribute to a harassment-free environment.
- Do not tolerate abusive, bullying or threatening behaviour.

SAILORS

- Give your best at all times.
- Participate for your own enjoyment and benefit.



- Abide by the rules of sailing and show respect for other sailors, race officers and club officials.

TRAINERS

- Place the safety and welfare of the sailors and club race officers above all else.
- Help each person (sailor, official, etc.) to reach their potential. Respect the talent, developmental stage and goals of each person and encourage them with positive and constructive feedback.
- Obtain appropriate qualifications and keep up-to-date with the latest training practices and the principles of growth and development of young sailors and club race officers.
- Ensure that any physical contact with another person is appropriate to the situation and necessary for the person's skill development.

RACE OFFICERS

- Place the safety and welfare of the sailors and volunteers assisting above all else.
- Ensure all people are included and can participate, regardless of their race, gender, ability, cultural background, sexuality or religion.
- Be consistent, impartial and objective when making decisions.
- Address unsporting behaviour and promote respect for other sailors and officials.

CLUB OFFICERS

- Ensure quality supervision and instruction for sailors.
- Support trainers and race officers to improve their skills and competencies.
- Act honestly, in good faith and in the best interests of the sport as a whole.
- Ensure that any information acquired or advantage gained from the position is not used improperly.
- Conduct Club responsibilities with due care, competence and diligence.

PARENTS

- Encourage your child to participate, do their best and have fun.
- Focus on your child's effort and performance, rather than winning or losing.
- Never ridicule or yell at a child for making a mistake or losing a race.
- Help out the trainers or Club race officers at training and games, where possible.
- Model appropriate behaviour, including respect for all other people involved in the Club and visitors.

SPECTATORS

- Respect the effort and performances of sailors and race officers.



Coves yacht club



- Reject the use of harassment, bullying or violence in any form, whether by other spectators, trainers, race officers or sailors.

I, <INSERT YOUR NAME> have read and understood the policy and will abide by it as a member of <INSERT YOUR ORGANISATION'S NAME>.

Signature:

Date:

If under 18 years of age, parent/guardian:

Signature:

Date:



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