

Enclosure 15 to

Canberra Yacht Club Operation Policy



Member Protection Policy 2022-2023



Canberra Yacht Club

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Amendment table

Changes to this document are reflected in the table below and are reviewed and approved by the Canberra Yacht Club Committee.

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Approval

The undersigned acknowledge they have reviewed the **CYC Member Protection Policy**. Changes to this document will be coordinated with and approved by the undersigned or their designated representatives.

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MEMBER PROTECTION POLICY

Introduction

The Canberra Yacht Club (CYC) core values are for an inclusive, safe and friendly environment where members and their guests are able to enjoy sailing and social activities. A Member Protection Policy provides a sound basis upon which an organisation is able to establish and maintain its core values.

Aim

The main aim of the Canberra Yacht Club (CYC) (“our”, “us” or “we”) Member Protection Policy (“policy”) is to establish and maintain responsible behaviour and the making of informed decisions by members and other 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 discrimination, harassment and 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 expected of them. It also covers the care and protection of children participating in our club’s activities.

Purpose of this policy

This Member Protection Policy (“policy”) aims to assist the CYC to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our organisation. 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 Australian Sailing and its State Associations to take disciplinary action against any person or organisation bound by this policy if they breach the policy.

The basis of this policy has been established and endorsed by the Australian Sailing Board and has been incorporated into the Australian Sailing Limited Constitution. The policy commenced in October, 2016 and will operate until replaced.

The current AS policy and its attachments can be obtained from their website at: <http://www.sailing.org.au/about-us/policy-documents/>

This policy is supported by Member Protection Policies that have been adopted and implemented by our member associations and affiliated clubs.

Who Our Policy Applies To

This policy applies to everyone involved in the activities of our club whether they are in a paid or unpaid/voluntary capacity and including:

- club committee members, administrators and other club officials;
- coaches and assistant coaches and other personnel participating in events and activities, including camps and training sessions;
- support personnel, including managers, sport trainers and others;
- umpires and other officials;
- sailors;
- CYC members, including any life members;
- parents;
- spectators; and
- visitors attending CYC events.

Extent of Our Policy

Our policy covers all matters directly and indirectly related to the CYC and its activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of behaviour and behaviour that occurs at training sessions, 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.

Club Responsibilities

We will:

- adopt, implement and comply with this policy;
- ensure that this policy is enforceable;
- publish, distribute and promote this policy and the consequences of any breaches of this policy;
- promote and model appropriate standards of behaviour at all times;
- deal with any complaints made under this policy in an appropriate manner;
- deal with any breaches of this policy in an appropriate manner;
- recognise and enforce any penalty imposed under this policy;
- ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- review this policy every 12-18 months;

- seek advice from and refer serious issues to Australian Sailing and/or to Sports Integrity Australia; and
- if required, mandatory reporting to Government agencies (ie. Police).

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 bodies request to be referred to them.

CYC Codes of Behaviour

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 sailors, coaches/instructors, 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.

Annex 1 lists the expected *Codes of Behaviour* for CYC members participating either as a competitor or volunteer, CYC staff, parents and spectators. **Note:** The CYC *Codes of Behaviour* are as expected by our national body, Australian Sailing.

Individual Responsibilities

Everyone associated with our club must:

- make themselves aware of the contents of this policy;
- comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- consent to the screening requirements set out in this policy, and any state or 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;
- treat other people with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour; and

- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment, bullying or other inappropriate behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this policy.

Protection of Children and Young People¹

Child and Young People Protection

The CYC is committed to the safety and wellbeing of children and young people who participate in our clubs activities or use our services. We support the rights of the child and young people, and will act at all times to ensure that a safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

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

Annex 2 provides Guidelines for interacting with children and young people. The guidelines are based upon the guidelines provided by www.playbytherules.net.au

Identifying and Analysing Risks of Harm

The CYC will develop and implement a risk management strategy, which includes a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the action of an employee, volunteer or another person.

Developing Codes of Behaviour for Adults and Children

We will develop and promote a code of conduct that specifies standards of behaviour and care we expect of adults when they deal and interact with children and young people, particularly those in our care. We will also implement a code of behaviour to promote appropriate behaviour between children and young people.

The codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour. (See Annex 1)

Choosing Suitable Employees and Volunteers

The CYC will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children and young people, especially those in positions that involve regular unsupervised contact with children and young people. This may be achieved using a range of screening measures.

¹ ACT Child and Young People Act.

Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children and young people.

The CYC will ensure that *Working With Vulnerable People* (WWVP) checks and criminal history assessments are conducted for employees and volunteers working with children and young people, where an assessment is required by law. If a criminal history report is obtained as part of the screening process, the CYC will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements. (See Annex 3)

Support, Train, Supervise and Enhance Performance

The CYC will ensure that all our employees and volunteers who work with children and young people have ongoing supervision; support and training. Our goal is to develop their skills and capacity and to enhance their performance so we can maintain a safe environment in our club.

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

The CYC will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our club.

Report and Respond Appropriately to Suspected Abuse and Neglect

The CYC will ensure that employees and volunteers are able to identify and respond appropriately to children and young people at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable ground that a child or young person has been, or is being, abused or neglected. (Annexes 4, 5, 6).

In addition to any legal obligations, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child or young person is in breach of this policy they may make an internal complaint. Please refer to our complaints procedure of this policy.

Any person who believes a child or young person is in immediate danger or in a life threatening situation, should contact the police immediately.

Supervision

Children under the age of 18 must be supervised at all times by a responsible adult. We endeavour to provide an appropriate level of supervision at all times. If a member finds a child under the age of 18 is unsupervised, they should assume responsibility for the child's safety until the child's parent/guardian or supervisor is located.

For reasons of courtesy and safety, parents must collect their children on time. If it appears a member will be left alone with just one child at the end of any club activity, they will ask another member to stay until the child is collected.

Transportation

Parents and or guardians are responsible for organising the transportation of their children to and from club activities (e.g. training and competition). Where we make

arrangements for the transportation of children (e.g. for away regattas or overnight trips), we will conduct a risk assessment that includes ensuring vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and the appropriate safety measures are in place (e.g. fitted working seatbelts)].

Taking Images of Children

Images of children can be used inappropriately or illegally. We require that members, wherever possible, obtain permission from a child's parent or guardian before taking an image of a child that is not their own. We will also make sure that the parent or 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 club.

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 or guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by persons to "groom" a child.

We will only use images of children that are relevant to our club's activities and we will ensure that they are suitably clothed in a manner that promotes our club. We will seek permission from a child's parent or guardian before using their images.

Discrimination, Harassment and Bullying

Our club is 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, harassment and bullying.

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

Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination laws.

Discrimination includes both direct and indirect discrimination:

- **Direct discrimination** occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **Indirect discrimination** occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purpose of determining discrimination, the offender's awareness and motive are irrelevant.

Harassment

Harassment is any unwelcome behaviour, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment involves unwelcome behaviour, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of all the personal characteristics that apply throughout Australia:

- gender;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- national extraction or social origin;
- marital status, relationship status, identity of spouse or domestic partner;
- pregnancy, potential pregnancy, breastfeeding;
- family or carer responsibilities, status as a parent or carer;
- age;
- religion, religious beliefs or activities;
- political beliefs or activities;
- lawful sexual activity;
- sexual orientation and gender identity;
- profession, trade, occupation or calling;
- irrelevant criminal record, spent convictions;
- irrelevant medical record;
- member of association or organisation of employees or employers, industrial activity, trade union activity;
- physical features;
- disability, mental or physical impairment;
- defence service; and
- personal association with someone who has, or is assumed to have, any of these personal characteristics.

- Legislation also prohibits:
 - racial, religious, homosexual, transgender and HIV/AIDS vilification; and
 - victimisation resulting from a complaint.

Bullying

The CYC is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable at our club.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or group.

Whilst generally characterised by repeated behaviours, one off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;
- spreading malicious rumours; or
- psychological harassment such as intimidation

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. We will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. (Refer to Item 10 of this policy.)

Inclusive practices

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

The following are examples of some of our inclusive practices.

People with a disability. The CYC will not discriminate against any person because they have a disability. Where it is necessary, we will make reasonable adjustments (e.g. modifications to equipment and rules) to enable participation.

People from diverse culture. We will support, respect and encourage people from diverse cultures and religions to participate in our club and where possible we will accommodate requests for flexibility.

Sexual & Gender Identity. All people, regardless of their sexuality or gender identity, are welcome at our club. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.

Pregnancy. CYC is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our club's activities. We will not tolerate any discrimination or harassment against pregnant women.

We will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with the CYC. We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person bound by this policy, she may make a complaint (Annex 4)

Mixed gender sailing teams

Apart from the Australian Sailing 'SheSail' events, there is no restriction to sailing teams being made up of a mix of genders and/or ages.

Alcohol Policy

Our club supports the responsible consumption of alcohol and takes seriously any inappropriate behaviour that results from excessive drinking.

Alcohol-free social events will be provided for young people and families.

We will not endorse or support events, celebrations or end of season trips that involve excessive consumption of alcohol.

Serving Alcohol

Alcohol will be served in compliance with the requirements of the Canberra Southern Cross Club liquor licence and in accordance with the safety and wellbeing of patrons.

Only trained servers will be permitted to serve alcohol. They are not permitted to drink while serving alcohol.

The liquor licence will be displayed at the bar.

Excessive or rapid consumption of alcohol will be discouraged.

A person aged under 18 will not be permitted to be behind the bar under any circumstances.

A committee member will be present at events where alcohol is served.

Intoxicated patrons

Alcohol will not be served to any person who is intoxicated. Signs of intoxication include slurred speech, impaired balance, poor coordination, reduced inhibition, aggressive, belligerent and disrespectful behaviour.

Servers will follow procedures, provided in their training by the Liquor Licensing Commission, for dealing with and refusing alcohol to intoxicated patrons.

Intoxicated patrons will be asked to leave. Safe travel options will be suggested.

Underage drinking

People aged under 18 will not knowingly be served alcohol.

Staff will request proof of age, where appropriate, and only photo ID will be accepted.

Safe transport

We will prominently display taxi phone numbers in the venue.

Club members and bar staff will encourage intoxicated patrons to take safe transport home.

Food and other drinks

A range of snacks and meals will be available when alcohol is served.

The club will provide a selection of low-alcohol and alcohol-free drinks, such as fruit juice and soft drink, at the bar and at social functions. Free jugs of water will also be available.

Tea and coffee will be provided at the bar during social functions.

Promoting the responsible use of alcohol

Posters about responsible drinking and standard drinks measures will be prominently displayed.

We will not advertise, promote or serve alcohol at junior events or activities.

We will educate members and supporters about our alcohol policy through our website, newsletter and other club communication.

What we ask you to do

All members and sporting personnel are required to comply with the following.

Drink and behave responsibly at all club functions, events and away trips.

Do not supply alcohol to team members if they are aged under 18.

Do not drink alcohol at the club, club functions, or while away on trips if you are aged under 18.

Do not encourage others to drink alcohol excessively.

Do not encourage or take part in team bonding activities that involve alcohol.

Do not spike another person's drink.

Non-Compliance

The club will take action for breaches of behaviour and responsibilities outlined in this policy.

If members or sporting personnel become drunk at the club or other social events they will be asked to leave. Ongoing instances of intoxication will be in breach of our Code of Behaviour and can result in disciplinary action (e.g. suspension or termination of membership).

Spiking of drinks is a criminal offence that can be reported to police by victims. It can lead to serious police charges being laid against the offender/s. Separate action can be taken as a breach of our state sporting organisation's and our club's Member Protection Policy to provide for the protection, safety and welfare of members.

Serving alcohol to a minor is a criminal offence that can be reported to the police and the relevant liquor licensing authority by victims and their parents. It can lead to heavy fines. Separate action can be taken as a breach of our state sporting organisation's and our club's Member Protection Policy to provide for the protection, safety and welfare of children.

Any person aged under 18 found to have consumed alcohol while at a club function or on a trip in the care of the club (e.g. while attending an inter-state regatta) may be suspended for the remainder of the competition/tournament. The young person's parents shall be advised and will be responsible for getting their son/daughter home at their own expense.

Any member or sporting personnel found to have behaved inappropriately because of over-consumption of alcohol (e.g. sexual harassment, verbal abuse, physical assault, neglect of a child) will face disciplinary action as outlined in our Member Protection Policy or Code of Behaviour.

Communication Policy

Electronic communication is essential for sharing club news and information with our members. Our communication will be timely, appropriate and related to club business.

We use a range of electronic tools to communicate with our members.

Our communication will protect members' privacy, maintain clear boundaries and ensure that bullying and harassment does not occur.

We will develop a Social Media Policy to address the particular issues arising from the use of social media.

A webmaster will be appointed to provide accountability and control over material published on our club's website and any related discussion groups or social media websites, such as Facebook, YouTube or Twitter.

CYC Website

Our website will include current information on competitions, social events, committees, policies, constitution, rules and by-laws.

No offensive content or photos will be published.

If we intend to publish a photo of a child, we will first seek permission from his or her parents and take care not to provide identifying information.

We will seek feedback from members to improve the information available on the site.

SMS and email

Committee members, staff, instructors and team managers may use SMS and email to provide information about competition, training, club-sanctioned social events and other club business, however:

- SMS messages should be short and about club/team matters
- email communication will be used when more information is required
- communication involving children will be directed through their parents.

Social media websites

We treat all social media postings, blogs, status updates and tweets as public 'comment'.

Postings (written, photos or videos) will be family-friendly and feature positive club news and events.

No personal information about our members will be disclosed.

No statements will be made that are misleading, false or likely to injure a person's reputation.

No statements will be made that might bring our club into disrepute.

Abusive, discriminatory, intimidating or offensive statements will not be tolerated. Offending posts will be removed and those responsible will be blocked from the site.

What we ask you to do

We expect our members to conduct themselves appropriately when using electronic communication to share information with other members or posting material on public websites connected to the club.

Electronic communication:

- should be restricted to club matters
- must not offend, intimidate, humiliate or bully another person
- must not be misleading, false or injure the reputation of another person
- should respect and maintain the privacy of members

- must not bring the club into disrepute.

Coaches and others who work with children and young people must direct electronic communication through the child's parents.

Non-compliance

Members may face disciplinary action for sending inappropriate electronic communication or posting online content or comments that harass, offend, intimidate or humiliate another member, as outlined in our member protection policy or code of behaviour.

Under certain circumstances, cyber bullying (e.g. bullying that is carried out through an internet service such as email, a chat room, discussion group, instant messaging or website) is a criminal offence that can be reported to the police.

In addition, members who publish false or misleading comments about another person in the public domain (e.g., Facebook, YouTube or Twitter) may be liable for defamation.

Responding to Complaints

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, and ensure:

- all complaints will be taken seriously;
- complaints are managed in a fair, timely and transparent manner
- the person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and
- any penalties imposed will be reasonable.

We will provide individual 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 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.

More serious complaints may be escalated to Australian Sailing and/or Sport Integrity Australia.

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

Complaint Handling Process

When a complaint is received by our club, the person receiving the complaint (e.g. CYC staff member, Committee member) will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- ask what the complainant how they would like their concern to be resolved and if they need any support;
- explain the different options available to help resolve the complainant's concern;
- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, 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 Australian Sailing/Sport Integrity Australia; 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 Australian Sailing/Sport Integrity Australia and an investigation is conducted, the club will:

- co-operate fully with the investigation;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on Australian Sailing/Sport Integrity Australia recommendations

At any stage of the process, a person can seek advice from an anti-discrimination commission or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the anti-discrimination commission or other external agency.

Disciplinary Sanctions

Australian Sailing and its State Associations (CYC) may impose disciplinary measures on an individual or organisation for a breach of this policy and in accordance with the Constitution of ACT Sailing Inc, as amended October 2018.

Any disciplinary measure imposed will be:

- fair and reasonable;
- applied consistent with any contractual and employment rules and requirements;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined in accordance with our constituent documents, by-laws, this policy and/or the rules of the sport.

Our club may 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; and
- be determined by our constituent documents, by Laws and the Racing Rules of Sailing including the Australian Sailing prescriptions.

Possible sanctions that may be taken include:

- a direction that the individual make verbal and/or written apology;
- counselling of the individual 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; or
- any other form of discipline that our club considers reasonable and appropriate.

Appeals

In accordance with the Constitution of ACT Sailing Inc, as amended October 2018, the complainant or respondent may be entitled to lodge an appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by our club) to Australian Sailing/Sport Integrity Australia. Appeals must be based on

any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.

Annexes

1. CYC Codes of Behaviour
2. Guidelines for interacting with children and young people
3. Working With Vulnerable People requirements
4. Template for reporting of a complaint
5. Procedure for handling allegations of child/young person abuse
6. Confidential record of child/young person abuse allegation

CYC CODES OF BEHAVIOUR

Australian Sailing and its State Associations endorse the following code of behaviour 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 service provider or an employee you should meet the following standard of behaviour:

- 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 behaviour 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.

Members and their Guests:

Members must ensure that their guests:

- are requested to introduce their guest to the Duty Committee Member upon visiting the club;
- leave the club if the member leaves the club;
- are made aware of the Codes of Behaviour and Rules and follow them; and
- are aware that members are responsible and accountable for the behaviour of their guests.

Coach and Instructors Code of Behaviour

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 behaviour.
- 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.

Sailing/Boating Participant Code of Behaviour

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.

Officials Code of Behaviour

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.

Parent/Guardian Code of Behaviour

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.

Spectator Code of Behaviour

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.
-

GUIDELINES FOR INTERACTING WITH CHILDREN AND YOUNG PEOPLE

These guidelines are for CYC instructors, volunteers and members to help maintain a safe, healthy child friendly environment. These guidelines have been developed to ensure that the CYC promotes and adheres to the Australian Sailing Child Safety Policy and the ACT Child and Young People Act, 14 October 2021

Maintaining appropriate boundaries:

Physical boundaries

- Use drills to develop fitness, not as a punishment
- Only use physical contact that is appropriate for the development of a particular skill and has the permission of children/young people²
- Work within sight of others at all times

Emotional boundaries

- Use positive feedback on performance, not negative feedback about the person
- Be encouraging and avoid put-downs

Social boundaries

- Attend sport related events such as sponsorship and fundraising events, celebrations and annual meetings but do not socialise with children/young adults outside sporting functions
- Do not socialise with children/young people via social media

Sexual boundaries

- Do not have sexual relationships with children/young adults
- Do not touch children/young adults in ways likely to make them feel uncomfortable

Minimise physical contact

Generally, physical contact with players or participants should be to:

- Develop sailing skills
- Demonstrate a skill
- Treat an injury
- Prevent or respond to an injury
- Meet the specific requirements of the sport

² Child and young people as defined in the ACT Child and Young People Act, 14 Oct 2021

All physical contact by personnel should fulfil the following criteria:

- Physical contact should be appropriate for the development of a sport skill/s
- Permission from the participant should always be sought
- Children/young adults should be congratulated or comforted in public not in an isolated setting

Avoid being alone with a child

To protect yourself and the child from risk:

- Do not isolate yourself and a children/young adult and avoid being alone with any particular children/young adult
- If a children/young adult approaches you and wants to talk to you privately about a matter, do so in an open area and in sight of other adults (e.g. other coaches, officials or parents/guardians)
- Before going into change rooms knock or announce that you will be coming in. Try to have at least one adult with you in a change room with children/young adults.

WORKING WITH VULNERABLE PEOPLE REQUIREMENTS

Working with Vulnerable People (WWVP), ACT

- The WWVP scheme aims to reduce the risk of harm or neglect to vulnerable people in the ACT. It requires those who work or volunteer with vulnerable people to have a background check to determine an applicant's suitability to be registered under the scheme.
- Not all positions in an organisation involving contact with vulnerable people require a WWVP registration. Only those persons who have more than incidental contact in regulated activities or services with vulnerable people need to be registered³
- Under the ACT regulations, Sailing School staff and Sailability staff & volunteers must hold a valid ACT WWVP registration.

WWVP 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.

There is no cost for people undertaking volunteer duties.

Further information on WWVP requirements in the ACT can be obtained from:

Australian Capital Territory

Contact the Office of Regulatory Services

Website: www.ors.act.gov.au/community/working_with_vulnerable_people_wwvp

Phone: 02 6207 3000

³ Reference WWVP, www.accesscanberra.act.gov.au

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 certain jurisdictions, temporary, time limited exemptions from working with children checks may be available for interstate visitors with a WWVP Check in their home state.

The laws providing interstate exemptions are not consistent across Australia.

If an employee or volunteer for your club is travelling interstate to do work that would normally require a working for children check, you will need to check the relevant requirements of that state or territory.

Annex 4 to
CYC Member Protection Policy

| | |
|---|--|
| <p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</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"/> Victimization <input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other |
| <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> | |

PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD/YOUNG PERSON ABUSE

If you believe a child or young person is in immediate danger or a life-threatening situation, contact the Police immediately on 000.

Fact sheets on reporting allegations of child abuse in different states and territories are available at www.playbytherules.net.au

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

All people working with the CYC in a paid or unpaid capacity have a duty to report any concerns to the appropriate authorities, following the steps outlined below.

Step 1: Receive the allegation

If a child or young person raises with you an allegation of abuse or neglect that relates to them or to another child or young person, it is important that you listen, stay calm and be supportive.

| Do | Don't |
|---|---|
| Make sure you are clear about what the child or young person has told you | Do not challenge or undermine the child or young person |
| Reassure the child or young person that what has occurred is not his or her fault | Do not seek detailed information, ask leading questions or offer an opinion. |
| Explain that other people may need to be told in order to stop what is happening. | Do not discuss the details with any person other than those detailed in these procedures. |
| Promptly and accurately record the discussion in writing. | Do not contact the alleged offender. |

Step 2: Report the allegation

- Immediately report any allegation of child or young person abuse or neglect, or any situation involving a child or young person at risk of harm, to the police and/or the relevant child protection agency. You may need to make a report to both.
- Contact the relevant child protection agency or police for advice if there is **any** doubt about whether the allegation should be reported.

- If the allegation involves a person to whom this policy applies, then also report the allegation to the Commodore and/or the General Manager of the Canberra Yacht Club so that they can manage the situation.

Step 3: Protect the child and manage the situation

- The CYC Commodore or General Manager will assess the immediate risks to the child and take interim steps to ensure the child's safety and the safety of any other children. This may include redeploying the alleged offender to a position where there is no unsupervised contact with children, supervising the alleged offender or removing/suspending him or her until any investigations have been concluded. Legal advice should be sought before any interim steps are made if the person is an employee of CYC.
- The CYC Commodore or General Manager will consider what services may be most appropriate to support the child and his or her parent/s.
- The CYC Commodore or General Manager will consider what support services may be appropriate for the alleged offender.
- The CYC Commodore or General Manager will seek to put in place measures to protect the child and the alleged offender from possible victimisation and gossip.

Step 4: Take internal action

- At least three different investigations could be undertaken to examine allegations that are made against a person to whom this policy applies, including:
 - a criminal investigation (conducted by the police)
 - a child protection investigation (conducted by the relevant child protection agency)
 - a disciplinary or misconduct inquiry/investigation (conducted by CYC).
- CYC will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in our Member Protection Policy.
- Where required we will provide the relevant government agency with a report of any disciplinary action we take.

- **Contact details for advice or to report an allegation of child abuse**

| Australian Capital Territory | |
|---|---|
| ACT Police Non-urgent police assistance Ph: 131 444 www.afp.gov.au | Office for Children, Youth and Family Services http://www.communityservices.act.gov.au/ocyfs/reporting-child-abuse-and-neglect Ph: 1300 556 729 |
| New South Wales | |
| New South Wales Police Non-urgent police assistance Ph: 131 444 www.police.nsw.gov.au | Department of Family and Community Services www.community.nsw.gov.au Ph: 132 111 |

CONFIDENTIAL RECORD OF CHILD/YOUNG PERSON ABUSE ALLEGATION

Before completing, ensure the procedures outlined in *Procedure for Handling Allegations of Child Abuse* have been followed and advice has been sought from the relevant government agency and/or police.

| | | |
|--|--|--|
| Complainant's Name (if other than the child) | | Date Formal Complaint Received: / / |
| Role/status in sport | | |
| Child's name | | Age: |
| Child's address | | |
| Person's reason for suspecting abuse (e.g. observation, injury, disclosure) | | |
| Name of person complained about | | |
| Role/status in sport | <input type="checkbox"/> CYC staff/employee <input type="checkbox"/> Parent <input type="checkbox"/> CYC member <input type="checkbox"/> Member of public <input type="checkbox"/> Instructor/Assistant <input type="checkbox"/> Support Person <input type="checkbox"/> Official <input type="checkbox"/> Other | |
| Witnesses (if more than 3 witnesses, attach details to this form) | Name (1): Contact details: Name (2): Contact details: Name (3): Contact details: | |
| Interim action (if any) taken (to ensure child's/young person safety and/or to support needs of person complained about) | | |

| | |
|---|--------------------------------------|
| Police contacted | Who: When: Advice provided: |
| Government agency contacted | Who: When: Advice provided: |
| President and/or MPIO contacted | Who: When: |
| Police and/or government agency investigation | Finding: |
| Internal investigation (if any) | Finding: |
| Action taken | |
| Completed by | Name: Position: Signature: / / |
| Signed by | Complainant (if not a child) |

This record and any notes must be kept in a confidential and safe place and provided to the relevant authorities (police and government) should they require.