



# Portsea Surf Life Saving Club

## *Respectful Relationships Policy*

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# Portsea SLSC Respectful Relationships Policy

## Document Configuration Management

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### Preparation

Action	Name	Role/Function	Date
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### Release

Version	Date	Change	Remark
V1.0	01/03/2021	Initial Release	Draft
V1.1	05/05/2021	Solicitor Review	Reviewed
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### Contribution © & Distribution (D)

Name	C/D	Role
Claire Tucker-Morrison	C	Active Member
Andrew May	C	Club Director
Sue Crow	C	Club Director
Club Committee	D	Committee
Portsea SLSC Membership	D	Members



# 1 - Purpose and Scope

## 1.1 - Introduction

Portsea Surf Life Saving Club is committed to ensuring that members operate in an environment where people are treated in a respectful manner at all times. It is important for a safe and harmonious club that members are aware of the impact of their behaviours on others. Bullying, harassment and discrimination at our club is inappropriate and unacceptable behaviour that will not be tolerated.

## 1.2 – Strategic Plan Integration

This policy reflects the values of Portsea SLSC’s Strategic Plan, in particular the aspiration of Member Protection Focus Area:

- “To ensure that every member feels safe, protected from harm and is treated with respect and dignity.”

## 1.3 – Surf Life Saving Australia Member Protection Alignment

This policy is intended to align with the requirements of the Surf Life Saving Australia Member Protection Policy 6.05.

The policy can be found here: <https://lsv.com.au/clubs-members/support/club-policies/>



## 2 - Policy

### 2.1 – Policy Outline

Portsea Surf Life Saving Club will not tolerate bullying, harassment and discrimination under any circumstances and will:

- Promote appropriate standards of behaviour at all times.
- Treat complaints of bullying, harassment and discrimination in a sensitive, fair, timely and confidential manner.
- Implement training and awareness-raising strategies to ensure all members understand their rights and responsibilities.
- Provide an effective procedure for complaints of bullying, harassment and discrimination to be addressed.
- Encourage the reporting of behaviour which breaches this policy.
- Ensure protection from victimisation or reprisals for persons reporting bullying, harassment and discrimination.

### 2.2 – What is bullying?

Bullying is characterised by persistent and repeated negative behaviour directed at a person that creates a risk to health and safety. One member may bully another, a group of members may bully an individual, or non-members may bully members.

### 2.3 – What are examples of bullying?

The following types of behaviour when directed towards an individual and repeated could be considered bullying:

Note: this list is not exhaustive. Other types of behaviour may also constitute bullying.

- Demeaning language or verbal abuse.
- Threats, physical or verbal intimidation.
- Outbursts of anger or aggression.
- Seeking to harm, intimidate, belittle or coerce.
- Spreading disinformation, gossip or rumours about a person or a situation.
- Purposely excluding, isolating or marginalising members.
- “Ganging up” on a member.
- Psychological and emotional harassment.
- Knowingly assigning tasks that are beyond a person’s skill level.
- Initiation or hazing.



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### 2.4 – What isn't bullying?

Actions or omissions carried out in a fair and reasonable manner in order to promote a safe and harmonious environment are not bullying. These actions could include but are not limited to:

- Setting performance goals, standards and deadlines.
- Deciding not to select a member for any club position based on relevant criteria.
- Informing a member about unsatisfactory performance.
- Informing a member about inappropriate behaviour.
- Reasonably enforcing disciplinary action.
- Constructive feedback.
- Requesting information from a member regarding incidents.
- Any other action that are carried out to ensure safe and effective delivery of club operations.

### 2.5 – What is discrimination?

Discrimination is the unjust or prejudicial treatment of different categories of people. It is unlawful to discriminate against someone on the following grounds of:

Note: this list is not exhaustive. Other types of discrimination exist.

- Sex;
- Age;
- Physical appearance;
- Religion;
- Race;
- Disability;
- Transgender, gender identity or intersex status;
- Political opinion;
- Employment status;
- Sexual preference or orientation;
- Marital or relationship status;
- Pregnancy;
- Family responsibilities;
- Raising an OH&S issue to management or government authority such as WorkSafe;
- Personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.
- The imposition of an unreasonable requirement, condition or practice that has or is likely to have the effect of disadvantaging persons with any of the above attributes.

People are often concerned about making a complaint if they have a continuing relationship with the person responsible. They often worry they will be victimised (treated badly) if they make a complaint. However, victimisation is unlawful under discrimination laws.



## 2.6 – What is harassment?

Harassment is any behaviour that is unwelcome or uninvited and that humiliates, offends or intimidates another person. It may be verbal, written, visual, electronic or physical and may consist of a single incident or a repeating pattern of events.

Even if the harasser did not intend to offend, humiliate or intimidate, if it is reasonable for a person to feel offended, humiliated or intimidated then the behaviour may constitute harassment.

## 2.6 – What is sexual harassment?

Sexual harassment is unsolicited, unwarranted and unwelcome behaviour of a sexual nature which causes a person to feel offended, humiliated or intimidated. Most incidents of a sexual harassment occur between people of the opposite sex, but it can also occur between persons of the same sex. Sexual harassment covers any form of behaviour of a sexual nature be it physical, psychological, visual or verbal. It may involve a singular incident or ongoing persistent behaviour.

Sexual harassment includes, but is not limited to:

- staring or leering
- unnecessary familiarity, such as deliberately brushing up against you or unwelcome touching
- suggestive comments or jokes
- insults or taunts of a sexual nature
- intrusive questions or statements about your private life
- displaying posters, magazines or screen savers of a sexual nature
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites
- requests for sex or repeated unwanted requests to go out on dates
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

Sexual harassment is unlawful under the Sex Discrimination Act in different areas of public life, including employment, service delivery, accommodation and education. Some types of sexual harassment may also result in criminal offences.



### 3 - Procedure

#### 3.1 – What can I do if I believe I am being bullied, harassed or discriminated?

Members may deal with bullying, harassment or discrimination either by resolving the issues themselves by discussing the problem with the person involved, or by seeking assistance from the club via:

- Member Protection Officers (MPOs)
- Club President
- Vice Club President
- Club Captain

It is important that you do not ignore circumstances where you feel you are being treated in a negative manner, thinking it will go away.

Below is a summary of the steps that can be taken to address individual concerns and who to contact:

- If you in the appropriate position to do so, try to resolve the problem yourself with the person(s) involved as soon as possible. You may find that they didn't intend to cause harm.
- If you're unsure of how to handle the problem yourself, then refer the issue to those listed above. The resolution will be a collaborative process between yourself and the relevant supporting individual. You may opt to have your complaint recorded, rather than escalated.
- The relevant supporting individual may seek external advice and assistance from persons such as independent mediators or investigators. Confidentiality will be maintained throughout this process.

If you do make a complaint, you must be prepared to:

- Act honestly and in good faith.
- Provide all the facts relevant to the complaint.
- Co-operate with the investigation and resolution processes.



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Portsea Surf Life Saving Club may not assist you to deal with a complaint if:

- The Judicial Panel deems that the complaint has been satisfactorily dealt with or resolved previously (unless another incident has occurred since).
- The complaint is made anonymously without sufficient detail being provided so as to allow investigation or resolution of the matter.
- The complaint is frivolous, vexatious or malicious, for example where false or misleading information is provided, relevant information is withheld, facts are distorted or there is no demonstrated commitment to resolution. (Note: Depending on the circumstances, these types of complaints could lead to disciplinary action including dismissal action being taken against the person making the complaint).
- The complaint does not constitute bullying, harassment or discrimination as defined by the policy.

If you observe an incident in which another member is being bullied, harassed or discriminated, Portsea Surf Life Saving Club encourages you to bring it to the attention of a relevant supporting individual (as listed above).

If a complaint has been made about you, you are responsible for ensuring that you:

- Cooperate with the investigation and resolution processes.
- Provide a written or verbal response to the complaint which has been made.
- Provide all relevant facts to the person conducting the investigation.

### 3.2 – Confidentiality

Anyone involved in a complaint, or its investigation, must ensure that the circumstances and facts of the complaint are disclosed only to those people who are directly involved in progressing its investigation and resolution, or have a 'need to know'. In particular, it is important that members who either make a complaint or may be witnesses to the circumstances giving rise to the complaint, do not discuss the matter outside the investigation and resolution processes.



### 3.3 – Portsea Surf Life Saving Club / Supporting Individual Responsibilities

If a member reports an allegation of bullying, harassment or discrimination, you in your capacity as a supporting individual:

#### **SHOULD NOT**

- Ignore the complaint.
- Tell the member making the complaint to sort it out themselves.
- Make a judgement about whether the complaint is true or not.
- Say that the member should put up with the negative behaviour.
- Talk to anyone about the issue except those involved in the investigation and resolution of the complaint.
- Prejudge the merits of the complaint.

#### **SHOULD**

- Behave consistently with the Respectful Relations Policy.
- Enquire into the matter as soon as is reasonably possible.
- Resolve the complaint as quickly as reasonably possible.
- Be sympathetic, sensitive and serious; the complaint is obviously serious to the person making it.
- Consider implementing strategies to mitigate subsequent incidents.

### 3.4 – Penalties

For non-compliance of this policy, penalties may include but is not limited to the suspension or cancellation of membership. Mediation may be an option in resolving a complaint.

Portsea SLSC notes that in cases of serious misconduct, mandatory reporting may be required, with details of incidents referred to higher authorities.



## 4 – Relevant Authorities

### 4.1 – Legal Acts

- Sex Discrimination Act
- Race Discrimination Act
- Disability Discrimination Act
- Equal Opportunity for Women in the Workforce Act
- Workplace Relations Act
- Human Rights and Equal Opportunity Commission Act
- Crimes Act
- Fair Work Act Occupational Health and Safety Act 2004