

Harassment, Bullying, Discrimination and Behaviour policy

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1. Scope

This policy applies to:

- Committee members
- all financial Members as well as visitors to and guests of the club
- how 4WD Adventurers Club of SA Inc provides services to members and how it interacts with other members of the public
- all aspects of club activities
- meetings, trips, events, club-related social functions – wherever and whenever Members may be as a result of their 4WD Adventurers Club of SA Inc activities
- Members treatment of other Members, of visitors, guests, and of other members of the public encountered in the course of their 4WD Adventurers Club of SA Inc activities.

2. Aims

4WD Adventurers Club of SA Inc is committed to providing a safe, flexible and respectful environment for Members, visitors and guests free from all forms of discrimination, bullying and sexual harassment.

All 4WD Adventurers Club of SA Inc Members are required to treat others with dignity, courtesy and respect.

By effectively implementing our *Harassment and Bullying Policy* we will attract and retain Members and create a positive environment for all.

3. Members rights and responsibilities

All Members are entitled to:

- Admittance to the club upon meeting the membership criteria
- membership free from discrimination, bullying and sexual harassment
- the right to raise issues or to make an enquiry or complaint in a reasonable and respectful manner without being victimised

All Members must:

- follow the standards of behaviour outlined in this policy
- offer support to people who experience discrimination, bullying or sexual harassment, including providing information about how to make a complaint
- avoid gossip and respect the confidentiality of complaint resolution procedures
- treat everyone with dignity, courtesy and respect.

3.1 Additional responsibilities of Committee members

Committee members must also:

- model appropriate standards of behaviour
- take steps to educate and make Members aware of their obligations under this policy and the law
- intervene quickly and appropriately when they become aware of inappropriate behaviour
- act fairly to resolve issues and enforce club behavioural standards, making sure relevant parties are heard
- help Members resolve complaints informally
- refer formal complaints about breaches of this policy to the Committee for investigation
- ensure Members who raise an issue or make a complaint are not victimised
- ensure that decisions are based on merit and that no discriminatory requests for information are made

4. Unacceptable club conduct

Discrimination, bullying and sexual harassment are unacceptable at 4WD Adventurers Club of SA Inc and are unlawful under the following legislation:

- *Sex Discrimination Act 1984* (Cth)
- *Racial Discrimination Act 1975* (Cth)
- *Disability Discrimination Act 1992* (Cth)
- *Age Discrimination Act 2004* (Cth)
- *Australian Human Rights Commission Act 1986* (Cth).

Members (including committee members) found to have engaged in such conduct might be warned or in severe or repeated breaches may have their membership cancelled.

4.1 Discrimination

Discrimination is treating, or proposing to treat, someone unfavourably because of a personal characteristic protected by the law, such as sex, age, race or disability.

Discrimination can occur:

Directly, when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law (see list below).

For example, a member is harassed and humiliated because of their race

or

A member is refused acceptance to the club because they are 'too old'

Indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law (see list below).

For example, cancellation of membership is decided based on people who have had a accident claim rather than on merit.

Protected personal characteristics under Federal discrimination law include:

- a disability, disease or injury
- parental status or status as a carer, for example, because they are responsible for caring for children or other family members
- race, colour, descent, national origin, or ethnic background
- age, whether young or old, or because of age in general
- sex
- religion
- sexual orientation, intersex status or gender identity, including gay, lesbian, bisexual, transsexual, transgender, queer and heterosexual
- marital status, whether married, divorced, unmarried or in a de facto relationship or same sex relationship
- political opinion
- social origin
- medical record
- an association with someone who has, or is assumed to have, one of these characteristics, such as being the parent of a child with a disability.

It is also against the law to treat someone unfavourably because you assume they have a personal characteristic or may have it at some time in the future.

4.2 Bullying

If someone is being bullied because of a personal characteristic protected by equal opportunity law, it is a form of discrimination.

Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people.

Under Federal law, this behaviour does not have to be repeated to be discrimination – it may be a one-off event.

Behaviours that may constitute bullying include:

- sarcasm and other forms of demeaning language
- threats, abuse or shouting
- coercion
- isolation
- inappropriate blaming
- ganging up
- constant unconstructive criticism
- deliberately withholding information or equipment that a person needs to fill their position within the club adequately

Bullying is unacceptable in 4WD Adventurers Club of SA Inc.

4.3 Sexual harassment

Sexual harassment is a specific and serious form of harassment. It is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written. It can include:

- comments about a person's private life or the way they look
- sexually suggestive behaviour, such as leering or staring
- brushing up against someone, touching, fondling or hugging
- sexually suggestive comments or jokes
- displaying offensive screen savers, photos, calendars or objects
- repeated unwanted requests to go out
- requests for sex
- sexually explicit posts on social networking sites
- insults or taunts of a sexual nature
- intrusive questions or statements about a person's private life
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites

- 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.

Just because someone does not object to inappropriate behaviour in the club at the time, it does not mean that they are consenting to the behaviour.

Sexual harassment is covered in the club when it happens at club-related events, between members sharing the same club trip or club activity.

All Members, visitors and guests have the same rights and responsibilities in relation to sexual harassment.

A single incident is enough to constitute sexual harassment – it doesn't have to be repeated.

All incidents of sexual harassment – no matter how large or small or who is involved – require committee members and the club to respond quickly and appropriately.

4WD Adventurers Club of SA Inc recognises that comments and behaviour that do not offend one person can offend another. This policy requires all Members, visitors and guests to respect other people's limits.

4.4 Victimisation

Victimisation is subjecting or threatening to subject someone to a detriment because they have asserted their rights under equal opportunity law, made a complaint, helped someone else make a complaint, or refused to do something because it would be discrimination, sexual harassment or victimisation. Victimisation is against the law.

It is also victimisation to threaten someone (such as a witness) who may be involved in investigating a concern or complaint.

Victimisation is a very serious breach of this policy and is likely (depending on the severity and circumstances) to result in formal discipline against the perpetrator.

4WD Adventurers Club of SA Inc has a zero tolerance approach to victimisation.

4.5 Gossip

It is unacceptable for Members at 4WD Adventurers Club of SA Inc to talk with other members, visitors or guests about any complaint of discrimination or harassment.

Breaching the confidentiality of a formal complaint investigation or inappropriately disclosing personal information obtained in a professional role (for example, as a committee member) is a serious breach of this policy and may lead to formal discipline.

5. Merit at 4WD Adventurers Club of SA Inc

All membership decisions at 4WD Adventurers Club of SA Inc will be based on merit – the acceptability of the candidate is measured against the inherent requirements of the club – regardless of personal characteristics.

It is unacceptable and may be against the law to ask those seeking membership questions, or to in any other way seek information, about their personal characteristics, unless this can be shown to be directly relevant to a genuine requirement of membership of the club.

6. Resolving issues at 4WD Adventurers Club of SA Inc

4WD Adventurers Club of SA Inc encourages any Members, visitors and guests who believes they have been discriminated against, bullied, sexually harassed or victimised to take appropriate action.

If the member feels they have been bullied, harassed, vilified or discriminated against, they may consider:

- Talking to the person directly - Only if the member feels able, safe and confident to speak directly to the person involved and advise that their behaviour is unacceptable and must stop;
- Seeking advice and/or support - the member can speak to a committee member. They will be able to assist in exploring resolution options;
- Making a formal complaint to the committee - all reports and complaints of harassment, bullying, vilification and unlawful discrimination will be documented and dealt with promptly, impartially and confidentially.

(Members who do not feel safe or confident to take such action may seek assistance from [Guidance note (delete this later): list contacts.] for advice and support or action on their behalf.)

The Club expects that any complaint of harassment, bullying or discrimination is made in good faith. The Club may consider action if a complaint is found to be frivolous or vexatious.

In cases of assault, sexual assault or other behaviour that may constitute a crime, the Club **must** report the incident to police or other relevant authorities.

7. More information

If you have a query about this policy or need more information please contact a current committee member.

8. Review details

This policy was adopted by 4WD Adventurers Club of SA Inc on [insert date]

This policy was last updated on [insert date]

