

Moreton Bay Boat Club Sailing Section



Member Protection Policy

November 2024

Member Protection Policy

This policy needs to be read in conjunction with the *Australian Sailing Member Protection Policy March 2022* available at

<https://cdn.revolutionise.com.au/site/fox7ww01byhhtfjz.pdf>

1. Purpose of this Policy

This Member Protection Policy will work towards maintaining ethical and informed decision-making and responsible behaviours within the Moreton Bay Boat Club Sailing Section (MBBC Sailing). It outlines our commitment to a person's right to be treated with respect and dignity and to be safe and protected from abuse.

This policy informs everyone involved in MBBC Sailing of their legal and ethical rights and responsibilities and the standards of behaviour that are required.

This policy outlines the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from MBBC Sailing. As part of this commitment, MBBC Sailing will take disciplinary action against any person bound by this policy if they breach it.

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

2. Who this Policy Applies To

Unless otherwise stated this policy applies to the following people:

- Persons appointed or elected to boards, committees and sub-committees
- Volunteers
- Race Officials and other officials involved in the conduct of Regattas and Club Sailing.
- Sailors, officials and other personnel participating in events and activities
- Members

3. Individual Responsibilities

Individuals bound by this policy are responsible for:

Making themselves aware of the policy and complying with its standards of behaviour;

Complying with our screening requirements and any state checks for Working with Children.

Placing the safety and welfare of children above other considerations

Being accountable for their behaviour;

Following the procedures outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment or other inappropriate behaviour; and

Complying with any decisions and/or disciplinary measures imposed under this policy.

4. General Code of Conduct

MBBC Sailing endorses by the following code of conduct for members, service providers and employees, particularly those responsible for activities involving members under the age of 18 years.

- 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, MBBC Sailing standards, rules, regulations and policies. For example
 - The Notices of Race and Sailing Instructions
 - The MBBC Sailing Section Handbook
 - the MBBC By Laws
- Operate within the rules of the sport. For example
 - the Racing Rules of Sailing
 - Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs)
- Do not use your involvement with MBBC Sailing to promote your own beliefs, behaviours or practices where these are inconsistent with those of the section.
- 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 MBBC Sailing into disrepute.

- Provide a safe environment for the conduct of Sailing.
- 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

For further Codes of Conduct applying to Roles go to <https://cdn.revolutionise.com.au/site/fxp7ww01byhhtfjz.pdf>. These Codes of Conduct are to be read in conjunction with this Document.

5. Complaints Procedure

Complaints may be made either informally (verbally) or formally (in writing) to the President of MBBC Sailing who acts as the Member Protection Information Officer (MPIO). Each complaint will be dealt with according to the situation.

Each complaint will be dealt with promptly and with sensitivity. If the complaint falls outside the parameters of this policy it may be handed to the appropriate authority.

All complaints will be kept confidential and will not be disclosed to another person without the complainant's consent except if law requires disclosure or if disclosure is necessary to effectively deal with the complaint.

Individuals may also pursue their complaint externally under anti-discrimination, child protection or other relevant legislation. However, MPP complaints cannot be heard concurrently with any other process that is addressing the complainant's matter or similar matter.

If you wish to remain anonymous, MBBC Sailing may have difficulty assisting you to resolve your complaint. Procedural fairness (natural justice) means that MBBC Sailing are required to provide the person/people you have complained about with full details of the complaint so they have a fair chance to respond.

INFORMAL APPROACHES

Step 1: Talk with the other person (where this is reasonable, safe and appropriate)

In the first instance, you (the Complainant) should try to sort out the problem with the person or people involved (respondent) if you feel able to do so.

Step 2: Contact a Member Protection Information Officer

Talk with the Member Protection Information Officers (MPIO) if:

- the first step is not possible/reasonable; or
- you are not sure how to handle the problem by yourself; or

- you want to talk confidentially about the problem with someone and obtain more information about what you can do; or
- the problem continues after you tried to approach the person or people involved.

The MPIO will:

- take confidential notes about your complaint; and/or
- try to find out the facts of the problem; and/or
- ask what outcome/how you want the problem resolved and if you need support; and/or
- provide possible options for you to resolve the problem; and/or
- act as a support person if you so wish; and/or
- refer you to an appropriate person (e.g. Mediator) to help you resolve the problem, if necessary; and/or
- inform the relevant government authorities and/or police if required by law to do so; and
- maintain confidentiality.

The MPIO will not make any decisions in relation to the complaint being considered.

Step 3: Outcomes from initial contact

After talking with the MPIO, you may decide:

- there is no problem; or
- the problem is minor and you do not wish to take the matter forward; or
- to try and work out your own resolution (with or without a support person such as an MPIO); or
- to seek a mediated resolution with the help of a third person
- to seek a formal approach.

FORMAL APPROACHES

Step 4: Making a Formal complaint

If your complaint is not resolved or informal approaches are not appropriate or possible, you may:

- make a formal complaint in writing to the MBBC Sailing Committee member; or
- approach a relevant external agency such as an anti-discrimination commission, for advice.

On receiving a formal complaint and based on the material you have provided, the MBBC Sailing Committee member will decide whether:

- they are the most appropriate persons to receive and handle the complaint; or
- the nature and seriousness of the complaint warrants a formal resolution procedure; or
- to refer the complaint to mediation; or

- to appoint a person to **investigate** (gather more information on) the complaint; or
- to refer the complaint to a hearings tribunal; or
- to refer the matter to the police or other appropriate authority; or
- to implement any interim arrangements that will apply until the complaint process set out in these Procedures is completed.

In making the decision(s) outlined above, the MBBC Sailing Committee member will take into account:

- whether they have had any personal involvement in the circumstances which means that someone else should handle the complaint;
- your wishes, and the wishes of the respondent, regarding the manner in which the complaint should be handled;
- the relationship between you and the respondent (for example an actual or perceived power imbalance between you and the respondent)
- whether the facts of the complaint are in dispute; and
- the urgency of the complaint, including the possibility that you will be subject to further unacceptable behaviour while the complaint process is underway.

If the MBBC Sailing Committee member are the appropriate persons to handle the complaint they will, to the extent that these steps are necessary:

- put the information they've received from you to the person/people you're complaining about and ask them to provide their side of the story;
- decide if they have enough information to determine whether the matter alleged in your complaint did or didn't happen; and/or
- determine what, if any, further action to take. This action may include disciplinary action in accordance with this policy.

Step 5: Investigation of the complaint

A person appointed under Step 4 may conduct an investigation and provide a written report to the MBBC Sailing Committee who will determine what further action to take in accordance with the options contained within the *Australian Sailing Member Protection Policy*.

Step 6: Reconsideration of initial outcome/investigation or appeal

If, under the formal complaint process, mediation is unsuccessful, you may request that the MBBC Sailing Committee member to reconsider the complaint in accordance with **Step 4** or refer the matter to Australian Sailing for consideration.

You or the respondent(s) may be entitled to appeal.

Step 7: Documenting the resolution

The MBBC Sailing Committee member will document the complaint, the process and the outcome. This document will be stored in a confidential and secure place.

Complaints Procedure

