



## **MEMBER PROTECTION POLICY**

**VERSION 2.0**

**January 2019**

---

## CONTENTS

---

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. Protection of Children
  - 7.1 Child Protection
  - 7.2 Supervision
  - 7.3 Taking Images of Children
8. Discrimination, Harassment and Bullying
  - 8.1 Discrimination
  - 8.2 Harassment
  - 8.3 Bullying
9. Inclusive Practices
10. 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**

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

**Attachment 2: Report / Complaint Forms**

**Attachment 3: Procedure for Handling Allegations of Child Abuse**

## **1. Introduction**

In accordance with the 2018 Australian Endurance Riders Association Inc Rulebook and the South Australian Endurance Riders Association Constitution, the sport of equestrian endurance riding requires a single horse and rider combination to successfully complete a pre-determined course within a pre-determined time, thus the motto of the sport is *'to complete is to win'*.

## **2. Purpose of the Policy**

The main objective of our Member Protection Policy is to maintain responsible behaviour and ethical and informed decision making by members and other participants in this club. This policy 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.

## **3. 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:

- Committee members and administrators;
- Chief Steward, Ride Secretary, TPRs, Course officials, Check Point officials and any other event volunteers;
- Support personnel, including veterinarians, farriers and others;
- Members, including any life members;
- Parents and guardians; and
- Spectators.

## **4. Extent of Our Policy**

Our policy covers all matters directly and indirectly related to our club and its activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of conduct and behaviour that occurs at events, at social events organised or sanctioned by the club (or our sport), and on away and overnight trips and/or competitions. 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**

In addition to the relevant sections included in the Rulebook, 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 with reference to the Rulebook, Sections 3.1 to 3.16;
- 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 3 years; and

- seek advice from and refer serious issues to our national body, Australian Endurance Riders Association and/or the relevant authority.

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.

## 6. Individual Responsibilities

In addition to the relevant sections contained within the Rulebook, 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;
- 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.

## 7. Protection of Children

### 7.1 Child Protection

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

Our club acknowledges the valuable contribution made by our officials, members and volunteers and we encourage their active participation in providing a safe, fair and inclusive environment for all participants.

The Secretary, on behalf of our club has lodged a compliance statement with the Department for Education to acknowledge that we are aware of our obligations to create and maintain a child safe environment according to the requirements under Chapter 8 of the Children and Young People (Safety) Act 2017.

#### 7.1.1: Choosing Suitable Employees and Volunteers /

Our club will ensure that relevant screening checks are conducted for the club's key executive roles of President, Secretary and Treasurer as well as the club's Chief Stewards. The club will utilise the Department of Human Services Volunteer Screening process which is free for volunteers. <https://screening.sa.gov.au/screening-process/volunteer-screening>

Information obtained as part of the screening process will be dealt with confidentially and in accordance with relevant legal requirements.

### **7.1.2: Support, Train and Supervise**

Our club will ensure that all our officials, members and volunteers, where relevant, are provided with supervision; support and training. Our goal is to maintain a child-safe environment in our club.

### **7.1.3: Empower and Promote the Participation of Children in Decision-Making and Development**

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

### **7.1.4: Report and Respond Appropriately to Suspected Abuse and Neglect**

Our club will ensure that our officials, members and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under legislation to make a report if they suspect on reasonable grounds that a child has been, or is being, abused or neglected. See Attachment 3: Procedure for Handling Allegations of Child Abuse.

In addition to any legal obligations, any person who believes another person is acting inappropriately towards a child, or is in breach of this policy, may make an internal complaint to the Chief Steward and/or Committee. Please refer to Section 10 of this Policy and Attachment 2: Report/Complaint Forms.

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

## **7.2 Supervision**

In accordance with our Rulebook, children under the age of 18 must be adequately supervised appropriate to their age, experience and maturity.

## **7.3 Taking Images of Children**

Our club 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. When using a photo of a child, we will not publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent or guardian.

## **8. Discrimination, Harassment and Bullying**

In accordance with our Rulebook and our Social Media Policy, our club is committed to providing an environment in which people are treated fairly and equitably and that is 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.

### **8.1 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.

## 8.2 Harassment

Harassment is any unwelcome conduct, 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 conduct, 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.

### **8.3 Bullying**

Our Club 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. Our Club 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 bound by this policy, he or she may make a complaint - refer to Section 10 of this policy.

## **9. Inclusive practices**

In accordance with our Rulebook, our club is welcoming and we will seek to include participants and members from all areas of our community.

## **10. Complaints and Reporting**

Our club takes all complaints about on and off-course behaviour seriously. Any person may report a breach of this or other club policies in accordance with the Rulebook.

Any immediate danger or life threatening situation, such as suspected child abuse, sexual assault or other criminal activity, should be immediately referred to the police and/or relevant government authority by the person. For situations involving children please see Attachment 3 for further details.

### **10.1 Complaint Handling Process**

When a complaint is received by our club, the person receiving the complaint (e.g. President, Secretary, Chief Steward) will:

- listen carefully and ask questions to understand the nature and extent of the concern;

- ask 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 in accordance with the Rulebook.

At any stage of the process, an individual 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.

## **10.2 Management of Disciplinary Matters**

Our club may take disciplinary action against anyone found to have breached our policies or made false and malicious allegations. Any disciplinary measures imposed will be in accordance with our Rulebook.

Also in accordance with our Rulebook, a member having been subject to disciplinary action may, after the decision has been made, request in writing that AERA review the matter.



## **Attachment 1: 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](http://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.

### **Australian Capital Territory**

Contact the Office of Regulatory Services

Website: [www.ors.act.gov.au/community/working\\_with\\_vulnerable\\_people\\_wwpv](http://www.ors.act.gov.au/community/working_with_vulnerable_people_wwpv)

Phone: 02 6207 3000

### **New South Wales**

Contact the Office of the Children's Guardian

Website: [www.kidsguardian.nsw.gov.au/check](http://www.kidsguardian.nsw.gov.au/check)

Phone: 02 9286 7276

### **Northern Territory**

Contact the Northern Territory Screening Authority

Website: [www.workingwithchildren.nt.gov.au](http://www.workingwithchildren.nt.gov.au)

Phone: 1800 SAFE NT (1800 723 368)

### **Queensland**

Contact the Queensland Government Blue Card Services

Website: [www.bluecard.qld.gov.au](http://www.bluecard.qld.gov.au)

Phone: 1800 113 611

### **South Australia**

Contact the Department for Education

Website: [www.education.sa.gov.au/child-protection/child-safe-environments](http://www.education.sa.gov.au/child-protection/child-safe-environments)

Phone: 08 8463 6468.

National Police Check: [www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check](http://www.police.sa.gov.au/services-and-events/apply-for-a-police-record-check)

DHS Child Related Employment Screening: <https://screening.sa.gov.au/>

### **Tasmania**

Contact the Department of Justice

Website: [www.justice.tas.gov.au/working\\_with\\_children](http://www.justice.tas.gov.au/working_with_children)

Phone: 1300 13 55 13

**Victoria**

Contact the Department of Justice

Website: [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au)

Phone: 1300 652 879

**Western Australia**

Contact the Department for Child Protection

Website: [www.checkwwc.wa.gov.au](http://www.checkwwc.wa.gov.au)

Phone: 1800 883 979

**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 Working with Children 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.



<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</p> <p><input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods</p> <p><input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse</p> <p><input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse</p> <p><input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation</p> <p><input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse <input type="checkbox"/> Unfair decision</p> <p><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>	

### **ATTACHMENT 3: PROCEDURE FOR HANDLING ALLEGATIONS OF CHILD ABUSE**

**If you believe a child 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](http://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 or participating for our club 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 child abuse or neglect that relates to them or to another child, it is important that you listen, stay calm and be supportive.

<b>Do</b>	<b>Don't</b>
Make sure you are clear about what the child has told you	Do not challenge or undermine the child
Reassure the child 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 abuse or neglect, or any situation involving a child 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 club's executive or Chief Steward of the event so that he/she/they can manage the situation.

#### **Step 3: Protect the child and manage the situation**

- The club's executive or Chief Steward 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.

- The club's President (or delegate) will consider what services may be most appropriate to support the child and his or her parent/s.
- The club's President (or delegate) will consider what support services may be appropriate for the alleged offender.
- The club's President (or delegate) 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 the club or AERA).
- The club or AERA will assess the allegations and determine what action should be taken in the circumstances, in accordance with the Rulebook.
- 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

South Australia	
South Australia Police Non-urgent police assistance Ph: 131 444 <a href="http://www.police.sa.gov.au">www.police.sa.gov.au</a>	Department for Child Protection <a href="http://www.childprotection.sa.gov.au/reporting-child-abuse">www.childprotection.sa.gov.au/reporting-child-abuse</a> Ph: 131 478