



Paradise Radio Yacht Club inc

Lakeside Drive, Emerald Lakes

MEMBERS PROTECTION POLICY VERSION 6.1 June 2023

IMPORTANT NOTE:

PRYC By-Law 3. PRYC Member Protection Policy.

PRYC Membership application / renewal form requires members to sign a declaration stating they have read and will abide by the PRYC Code of Conduct & PRYC Member Protection Policy.



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PRYC MEMBER PROTECTION POLICY

1. Introduction

1.1 The objects of the PRYC are:

- a. to foster the sport of racing radio-controlled yachts for classes recognized by Paradise Radio Yacht Club, Inc.
- b. to promote participation in the club, regional, state, and national events and championships.
- c. to assist new members in gaining knowledge and experience through mentoring by existing members.
- d. to liaise and affiliate with clubs and associations at local, state, and national levels to promote and conduct events that will be beneficial to the sport of radio-controlled yachts.
- e. to engage in social and competitive activities that promote friendship and courtesy among its members and the community.

2. Purpose of Our Policy

- 2.1 The main objective of the PRYC Member Protection Policy is to 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.

3. Who Our Policy Applies To

- 3.1 This policy applies to everyone involved in the activities of our club whether they are in a paid or unpaid/voluntary capacity and including:
- a. club committee members, administrators, and other club officials;
 - b. skippers participating in a club or other events conducted by the PRYC, including training sessions;
 - c. race committee including race officers and other officials;
 - d. members, and
 - e. visitors from other clubs participating in PRYC sanctioned events.

4. Extent of Our Policy

- 4.1 Our policy covers all matters directly and indirectly related to the PRYC and its activities. In particular, the policy governs unfair selection decisions and actions, breaches of our code of behaviour and behaviour that occurs at events organized or sanctioned by the club. 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

- 5.1 The PRYC will:
- a. adopt, implement and comply with this policy;
 - b. ensure that this policy is enforceable;
 - c. publish, distribute and promote this policy and the consequences of any breaches of this policy;



- d. promote and model appropriate standards of behaviour at all times;
- e. deal with any complaints made under this policy as outlined in part 9 of this policy;
- f. deal with any breaches of this policy in an appropriate manner;
- g. recognize and enforce any penalty imposed under this policy;
- h. ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
- i. review this policy every 12-18 months; and
- j. seek advice from and refer serious issues to the appropriate authorities. These may include but are not limited to Serious issues including unlawful behaviour that involves or could lead to significant harm and includes criminal behaviour (e.g. physical assault, sexual assault, child abuse).

6. Individual Responsibilities

6.1 Everyone associated with our club must:

- a. make themselves aware of the contents of this policy, the PRYC code of conduct, and Behaviour Policy Statement.
- b. comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- c. treat other people with respect;
- d. always place the safety and welfare of children above other considerations;
- e. be responsible and accountable for their behaviour; and
- f. 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
- g. comply with any decisions and/or disciplinary measures imposed under this policy.

7. Discrimination, Harassment, and Bullying

- 7.1 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.
- 7.2 The PRYC recognize 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

- 7.3 Unlawful discrimination involves the less favorable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination laws.
- 7.4 Discrimination includes both direct and indirect discrimination:
 - a. **Direct discrimination** occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavorably because of that personal characteristic.
 - b. **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.
- 7.5 For the purpose of determining discrimination, the offender's awareness and motive are irrelevant.

Harassment

- 7.6 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.
- 7.7 The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.
- 7.8 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.
- 7.9 Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.
- 7.10 The following is a list of all the personal characteristics that apply throughout Australia:
- a. gender;
 - b. race, colour, descent, national or ethnic origin, nationality, ethnoreligious origin, immigration;
 - c. national extraction or social origin;
 - d. marital status, relationship status, identity of a spouse or domestic partner;
 - e. pregnancy, potential pregnancy, breastfeeding;
 - f. family or career responsibilities, status as a parent or career;
 - g. age;
 - h. religion, religious beliefs or activities;
 - i. political beliefs or activities;
 - j. lawful sexual activity;
 - k. sexual orientation and gender identity;
 - l. profession, trade, occupation, or calling;
 - m. irrelevant criminal record, or spent convictions;
 - n. irrelevant medical record;
 - o. member of association or organization of employees or employers, industrial activity, trade union activity;
 - p. physical features;
 - q. disability, mental or physical impairment;
 - r. defense service; and
 - s. personal association with someone who has, or is assumed to have, any of these personal characteristics.
- 7.11 Legislation also prohibits:
- a. racial, religious, homosexual, transgender, and HIV/AIDS vilification; and
 - b. victimization resulting from a complaint.

Bullying

- 7.12 The PRYC 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.
- 7.13 Bullying is characterized 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 victimize, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include the actions of an individual or group.
- 7.14 Whilst generally characterized by repeated behaviours, one-off instances can amount to bullying.



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- 7.15 The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:
- a. verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
 - b. excluding or isolating a group or person;
 - c. spreading malicious rumors; or
 - d. psychological harassment such as intimidation.

7.16 Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smartphones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. The PRYC 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 organization bound by this policy, he or she may make a complaint. (Refer to Item 9 of this policy.)

8. Inclusive practices

- 8.1 Our club is welcoming and we will seek to include members from all areas of our community.
- 8.2 The following are examples of some of our inclusive practices.

People with a disability

- 8.3 The PRYC will not discriminate against any person because they have a disability. The PRYC will comply with Para E3.9 of the RRS and make as fair arrangements as possible to ensure any disabled competitor can compete on equal terms.

People from diverse cultures

- 8.4 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

8. Sexual & Gender Identity

- 8.5 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

- 8.6 PRYC 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.
- 8.7 If a pregnant woman believes she is being or has been, harassed or discriminated against by another person bound by this policy; may make a complaint (see section 9).

9. Responding to Complaints

Complaints

- 9.1 The PRYC will accept Complaints from members provided they are, In writing, & received by the secretary within 14 days of the incident. The complaint must name the person about whom the complaint is made and the full details of what is being alleged and the names of any witnesses.

In the event the complaint relates to, or originates from an On-Water Incident:

The Committee will only investigate the matter if it is accompanied by the Protest Documents including the outcome ruling and an incident report by the relevant Fleet Captain.

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- a) All complaints accepted will be taken seriously and in accordance with Sec. 47A of the Associations Incorporations Act 1981 and where possible and appropriate, will be treated in Confidence but not necessarily anonymity.
- b) Frivolous and Vexatious complaints will not be accepted.
- c) The person about whom the complaint is made, shall be given full details of what is being alleged against them and given the opportunity to respond to the allegations.

9.2 More serious complaints may be referred by the PRYC committee to the relevant authority.

9.3 If the complaint relates to suspected child abuse, sexual assault, or other criminal activity, then the PRYC committee is to report, in a timely manner, the allegations to the police and/or relevant government authority for further investigation.

Complaint Handling Process

9.4 When a complaint is received by the Secretary it will be dealt with in accordance with Attachment 5: "*Protocol Guidelines for Responding to a Complaint.*"

Disciplinary Sanctions

- 9.5 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:
- a. be applied consistent with any contractual and employment rules and requirements.
 - b. be fair and reasonable.
 - c. be based on the evidence and information presented and the seriousness of the breach; and
 - d. be determined by our constituent documents and by Laws, the Racing Rules of Sailing or other race documents.
- 9.6 Whenever possible, all on-water sailing incidents are to be dealt with promptly, in accordance with Racing Rules of Sailing (RRS), the PRYC Sailing Instruction, and Class Rules. Protests are to be conducted in accordance with RRS Part 5 (Protests, Redress, Hearings, Misconduct and appeals.) Decisions of the protest committee are final as provided in RRS 70.5(a).
- 9.7 Possible sanctions that may be taken include:
- a. a direction that the individual make verbal and/or written apology;
 - b. counselling of the individual to address behaviour;
 - c. withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club;
 - d. suspension or termination of membership, participation or engagement in a role or activity;
 - e. de-registration of accreditation for a period of time or permanently in accordance with in accordance with para 9 of the PRYC constitution; or
 - f. any other form of discipline that our club considers reasonable and appropriate.

Appeals

10. The complainant or respondent may lodge an appeal for termination of membership. The handling of any such appeal is to be dealt with in accordance with para 10 of the PRYC constitution.

10.1 For decisions, other than termination, a request for review of a decision made in respect of a complaint may be granted by the PRYC Committee. The grounds for any review must be specific and be based on one of the following:

- a. denial of procedural fairness,
- b. unjust or unreasonable disciplinary measure(s) being imposed, or
- c. the decision was not supported by the information/evidence presented and available to the decision-maker/club.



Attachment 1. MEMBER PROTECTION DECLARATION

The PRYC has a duty of care to all those associated with our club and to the individuals and organisations to whom this policy applies. As a requirement of our Member Protection Policy, we must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

I (name) of
..... (address) born/...../.....

sincerely declare:

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence.
4. To my knowledge there is no other matter that the club may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
5. I will notify the President of the club immediately upon becoming aware that any of the matters set out in clauses 1 to 4 above has changed.

Declared in the *State/Territory* of
on/...../.....(date) Signature

Parent/Guardian Consent (in respect of a person under the age of 18 years)

I have read and understood the declaration provided by my child. I confirm and warrant that the contents of the declaration provided by my child are true and correct in every particular.

Name:.....

Signature:.....

Date:



Attachment 2: PRYC CODE OF BEHAVIOUR



Paradise Radio Yacht Club inc

Lakeside Drive, Emerald Lakes

MEMBERS CODE OF CONDUCT VERSION 5.1 2022

Administrator

- I will provide opportunities for skipper's to be involved in planning, leadership, evaluation and decision-making related to their activity
- I will create pathways for skippers to participate not just as a competitor but also as an official, administrator etc.
- I will remember that skippers participate for their enjoyment and benefit. I will not over emphasize awards
- I will help skippers and officials highlight appropriate behavior and skill development, and help to improve the standards of sailing and officiating
- I will ensure that everyone involved in our sport emphasizes fair play, sportsmanship, sailing by the rules and not winning at all costs
- I will distribute a code of conduct to skipper's, officials and encourage them to follow it
- I will not use bad language, nor will I harass skipper's, officials or spectators

Official

- I will place the safety and welfare of skippers above all else

- I will accept responsibility for my actions and decisions
- I will condemn un-sportsman like behavior and promote respect for the individuality of skippers
- I will avoid any situations which may lead to or be construed as a conflict of interest
- I will ensure my comments are positive and supportive
- I will be a good sport as I understand that actions speak louder than words
- I will always respect, remain loyal to and support other officials
- I will enforce the latest RRS and other race documents
 - I will refrain from any form of personal abuse towards competitors or other officials
 - I will refrain from any form of sexual harassment towards competitors or other officials
 - I will respect the rights, dignity and worth of all people involved in the sport, regardless of their gender, ability or cultural background.
- I will respect the rights, dignity and worth of all people involved in the sport, regardless of their gender, ability or cultural background



<ul style="list-style-type: none"> ■ I will give all competitors a 'fair go' regardless of their gender, ability, cultural background or religion ■ I will be impartial, consistent, objective and courteous when making decisions <p>(RRS), Sailing Instruction (SI) and other applicable race documents</p> <ul style="list-style-type: none"> ■ I will refrain from any form of personal abuse towards competitors or other officials ■ I will refrain from any form of sexual harassment towards competitors or other officials ■ I will respect the rights, dignity and worth of all people involved in the sport, regardless of their gender, ability or cultural background. <p>Skippers</p> <ul style="list-style-type: none"> ■ I will always compete by the rules ■ I will never argue with an official. If I disagree with a decision, I will inform the fleet captain during a break or after the sailing ■ I will abide by the PRYC Behavior Policy Statement 	<ul style="list-style-type: none"> ■ I will always respect, remain loyal to and support other officials ■ I will enforce the latest Racing Rules of Sailing and associated race documents. <ul style="list-style-type: none"> ■ I will control my temper. I understand that verbal abuse of officials and sledging other skippers and deliberately distracting or provoking am competitor is not acceptable or permitted behaviors in our sport ■ I will assist in the setting and cleaning up for the days sailing to the extent that I am physically capable ■ I will be a good sport and applaud all good sailors ■ I will treat all competitors in my sport as I like to be treated. I will not bully or take unfair advantage of another competitor ■ I will cooperate with race officials, and other competitors ■ I will display modesty in victory and graciousness in defeat ■ I will participate for my own enjoyment and benefit and to improve my sailing skills ■ I will respect the rights, dignity and worth of all participants regardless of their gender, ability, cultural background or religion
<p>PRYC MEMBERS</p> <ol style="list-style-type: none"> a. As a PRYC Member, I agree to: Abide by the PRYC code of conduct. b. I will abide by the PRYC Behavior Policy Statement c. Treat all members and guests with respect. d. Never argue with race officials. e. Sail within the RRS and PRYC SSI. f. Co-operate with race officials. g. For all on-water incidents I will abide by the decision of the Protest Committee. h. Comply with a reasonable request from a Fleet Captain. 	



Attachment 3: PRYC Complaints Reporting Register

SER	COMPLAINANT	PERSON COMPLAINED ABOUT	DATE	NATURE OF COMPLAINT	RECEIVED BY	OUTCOME (& Meeting Minutes Reference)
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
13.						
14.						
15.						
16.						
17.						
18.						
19.						
20.						
21.						
22.						



Attachment 4: REPORTING REQUIREMENTS AND DOCUMENTS

RECORD OF COMPLAINT

PRYC Complaints Reporting Register REFERENCE #:.....

Name of person receiving the complaint		Date: / /
Complainant's Name	<input type="checkbox"/> Over 18	<input type="checkbox"/> Under 18
Complainant's contact details	Phone:	Email:
Complainant's role/status in Club	<input type="checkbox"/> Committee Member	<input type="checkbox"/> Volunteer
	<input type="checkbox"/> PRYC Member	<input type="checkbox"/> Spectator
	<input type="checkbox"/> Visiting skipper	<input type="checkbox"/> Support Personnel
	<input type="checkbox"/> Official	<input type="checkbox"/> Other
	
Is the person who complained about	<input type="checkbox"/> Over 18	<input type="checkbox"/> Under 18
The person complained about role/status in Club	<input type="checkbox"/> Committee Member	<input type="checkbox"/> Volunteer
	<input type="checkbox"/> PRYC Member	<input type="checkbox"/> Spectator
	<input type="checkbox"/> Visiting skipper	<input type="checkbox"/> Support Personnel
	<input type="checkbox"/> Official	<input type="checkbox"/> Other
	
Was the complaint about a breach of the RRS or PRYC SSI?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If Yes, was a valid protest called at the time?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If Yes. Was a protest hearing held?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, what was the protest committee's decision?	_____	

OR Why no hearing?	_____	

Location/event of the alleged issue		



<p>Description of the alleged issue</p>	
<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 <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>
<p>What do 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>	
<p>List of Appended Documents:</p>	<p>e.g., Witness statements. Disciplinary sub-committee reports (facts found & conclusions, recommendations)</p>



Attachment 5: Protocol guidelines for Responding to a Complaint:

1. Once a Complaint has been accepted, the PRYC management committee may appoint a "Disciplinary Sub Committee" consisting of a minimum of two ordinary members that may include non-committee members.
2. The following protocol is to be employed by the committee and or an appointed sub-committee when responding to a complaint:
 - a. Only relevant matters are to be considered and decisions are to be unbiased.
 - b. Physical safety of both parties should be evaluated promptly where there is any potential face-to-face conflict. Where applicable ensure the complainant is not placed in an unsupervised situation with the respondent.
 - c. Directing parties to stay away from PRYC activity of any kind without first allowing a person a right of reply is not to be called for without significant justification.
 - d. Disciplinary Committee are to act with reference to MPP Sec 9 & 10.
 - e. Disciplinary committee to confer & be aware of their respective tasks to provide a coordinated response.
 - f. Where appropriate, the relevant Fleet Captain should be contacted at this point to provide perspective and preferably a written report.
 - g. Complainants are to be promptly informed that all other parties will be advised of the complaint to allow natural justice.
 - h. Complainants & persons complained about may need to be cautioned against other action and to allow the process to proceed. The process to be outlined to the parties at this stage.
 - i. Statements from the parties involved & witnesses should preferably be submitted in writing.
 - j. Disciplinary committee investigator interviews should always be conducted with a second person as witness and notes taken verified by witness signature. At the end provide a written signed version.
 - k. Interview venues should be negotiated with the parties involved and discrete separation maintained to avoid potential conflict. Where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s);
 - l. Permission should be obtained if interviews are to be recorded.
 - m. Disciplinary committee reports to document facts found and rationale for recommendations.
 - n. Disciplinary subcommittee recommendations must be endorsed by a majority committee vote before passing judgement. Committee vote records should document the rationale for decisions and judgements.



Attachment 6: Judgements:

3. When administering the judgement, the following procedures are to be followed:
 - a. Committee approval will decide if a particular complaint is listed in the Complaints Register
 - b. Judgments are to be made with reference to PRYC Constitution paragraph 9 and 10, MPP Disciplinary Sanctions sec 9.8 - 9.10 and MPP Attachments 5 & 6.
 - c. Suspensions should be from **all** club activities not just racing or racing in one fleet (with intention of discouraging people from attending as spectators during periods of suspension). Suspended members should be advised that while Emeral Lakes is a public venue, attendance during suspension is considered disrespectful to the judgment process and will be further noted in the complaints register.
 - d. Actual dates of suspension be specified; not just a time period.
 - e. Disqualifications are not to include a requirement to provide a written request to return to sailing.
 - f. Standard Draft disciplinary responses including expectations about behaviour following suspension to be available for reference.
 - g. At the end of disciplinary actions, the club and the parties concerned should clearly understand how the matter has been concluded.
 - h. Disciplinary measures are to be communicated via formal letter to all parties plus informing the relevant Fleet Captain.