



# Royal Queensland Yacht Squadron

MEMBER PROTECTION POLICY

Revised

2023

# CONTENTS

## POLICY

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 Transportation
  - 7.4 Taking Images of Children
8. Anti-Harassment, Discrimination and Bullying
9. Inclusive Practices
  - 9.1 People with a Disability
  - 9.2 People from Diverse Cultures
  - 9.3 Sexual & Gender Identity
  - 9.4 Pregnancy
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. Working with Children Check Requirements
- 1.2. Working with Children Check Requirements – Volunteer parents

### Attachment 2: Reporting Forms

#### Revision History

Version	Date	Author	Changes
1.4	March 2021		
1.5	January 2022		Inclusion of Attachment 1.2 – Working with Children Check Requirements – Volunteer Parents
1.6	April 2023		Standard Review

Where significant changes are made to this document, the version number will be incremented by 1.0. Where changes are made for clarity and reading ease only and no change is made to the meaning or intention of this document, the version number will be increased by 0.1.

#### Approvals

Name	Role	Signature	Date	Version

#### Distribution

Name	Role	Date	Version
------	------	------	---------

--	--	--	--

## MEMBER PROTECTION POLICY

### 1. Introduction

The Royal Queensland Yacht Squadron (RQYS or the Club) aims to encourage, promote and further the sport of yachting, yacht building, sailing, racing and fishing or other uses of boats for recreational purposes. It also provides and maintains premises and facilities for the use of Squadron members, and education relating to the sport of yachting, sailing and racing.

### 2. Purpose of this Policy

The main objective of this Member Protection Policy (policy) is to maintain responsible behaviour and the making of informed decisions by 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 abuse. Our policy informs everyone involved in the Squadron of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required. It also covers the care and protection of children participating in the Squadron's activities.

### 3. Who this Policy Applies To

This policy applies to everyone involved in the club including committee members, members and members guests, administrators, coaches, officials (umpires/judges/race officers), sailors and boating participants, parents, volunteers, visitors and spectators.

### 4. Extent of Our Policy

Our policy covers unfair decisions (e.g. team selection) and actions, breaches of our code of behaviour and behaviour that occurs at practice, in the club rooms, at social events organised or sanctioned by the club (or our sport), and on away and overnight trips. It also covers private behaviour where that behaviour brings the Squadron or sport into disrepute or there is suspicion of harm towards a child or young person.

### 5. Club Responsibilities

We will:

- implement and comply with our policy;
- promote our policy to everyone involved in the Squadron;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under our policy promptly, fairly, and confidentially;
- review this policy every 18-24 months; and
- seek advice from and refer serious issues to the appropriate external authority eg: Australian Sailing or the Police where appropriate.

Serious issues include, but are not limited to, 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

Everyone associated with the Squadron must:

- comply with the standards of behaviour outlined in our policy;
- treat others 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 or other inappropriate behaviour.

## **7. Protection of Children & Young People**

### **7.1 Child Protection**

The Royal Queensland Yacht Squadron is committed to the safety and wellbeing of all children and young people associated with our sport. We support the rights of the child and will act without hesitation to ensure a child safe environment is maintained at all times. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure environment for all participants.

The Royal Queensland Yacht Squadron acknowledges that our staff, members and volunteers provide a valuable contribution to the positive experiences of children involved in our sport. The Royal Queensland Yacht Squadron aims to continue this and to take measures to protect the safety and welfare of children participating in our sport by:

#### **7.1.1: Identify and Analyse Risk of Harm**

The Royal Queensland Yacht Squadron has developed and implemented a risk management strategy, which includes a review of existing child protection practices, to determine how child-safe and child-friendly RQYS is and to determine what additional strategies are required to minimise and prevent risk of harm to children because of the action of an employee, volunteer or another person.

#### **7.1.2: Develop Codes of Conduct for Adults and Children**

The Royal Queensland Yacht Squadron will ensure that it has codes of conduct that specify standards of conduct and care when dealing and interacting with children, particularly those in the Squadron's care. (See Codes of Conduct Policy)

#### **7.1.3: Choose Suitable Employees and Volunteers**

The Royal Queensland Yacht Squadron will ensure that it takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children (in prescribed positions).

This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

The Royal Queensland Yacht Squadron will ensure that working with children checks/criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law.

If a criminal history report is obtained as part of their screening process, the Royal Queensland Yacht Squadron will ensure that the criminal history information is dealt with in accordance with Queensland legislative requirements.

#### **7.1.4: Support, Train, Supervise and Enhance Performance**

The Royal Queensland Yacht Squadron will ensure that volunteers and employees who work with children or their records have ongoing supervision, support and training such that their performance is developed and enhanced to promote the establishment and maintenance of a child-safe environment.

#### **7.1.5: Empower and Promote the Participation of Children In Decision-Making And Service Development**

The Royal Queensland Yacht Squadron will promote the involvement and participation of children and young people in developing and maintaining child-safe environments.

#### **7.1.6: Report and Respond Appropriately To Suspected Abuse and Neglect**

The Royal Queensland Yacht Squadron will ensure that volunteers and employees are able to identify and respond to children at risk of harm.

The Royal Queensland Yacht Squadron will make all volunteers and employees aware of their responsibilities under respective state laws if they have suspicion on reasonable grounds that a child has been or is being abused or neglected (see Attachment 1).

In addition to any legal obligation, if any person feels another person or organisation bound by this policy is acting inappropriately towards a child or is breaching the codes of practice set out they may make an internal complaint.

Please refer to our complaints procedure outlined in this policy. This will explain what to do about the behaviour and how the Royal Queensland Yacht Squadron will deal with the problem.

## **7.2 Supervision**

Members under the age of 6 years must be supervised at all times by a responsible adult. The Squadron will provide a level of supervision adequate and relative to the members' age, maturity, capabilities, level of experience, nature of activity and nature of venue. If a member finds a member under the age of 6 years is unsupervised, they should immediately take the child directly to a Squadron member of staff.

Parents must turn up on time to collect their child for reasons of courtesy and safety. If it appears a member will be left alone at the end of a training session with just one child, they will ask another member to stay until the child is collected.

## **7.3 Transportation**

Parents/guardians are responsible for transporting their children to and from club activities (e.g. practice and regattas). Where the Squadron makes arrangements for the transportation of children (e.g. for away or overnight trips), we will conduct a risk assessment that includes ensuring vehicles are adequately insured, the driver has a current and appropriate licence for the vehicle being used and appropriate safety measures are available (e.g. fitted working seatbelts)]

## **7.4 Taking Images of Children**

Images of children can be used inappropriately or illegally. The club requires that members, volunteers and staff, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own and ensure that the parent knows the way the image will be used. We also require the privacy of others to be respected and disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

If the Squadron uses an image of a child it will avoid naming or identifying the child or it will, wherever possible, avoid using both the first name and surname. We will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. We will not display information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by pedophiles or other persons. We will only use appropriate images of a child, relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc.

## **8. Anti-harassment, Discrimination and Bullying**

The Royal Queensland Yacht Squadron opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying are against the law and are based on particular characteristics such as age, disability, gender, sexual orientation, pregnancy, political or religious beliefs, race, and marital status.

The Royal Queensland Yacht Squadron takes all claims of harassment, discrimination, bullying and cyber bullying seriously. We encourage anyone who believes they have been harassed, discriminated against or bullied to raise the issue with the club (see Responding to Complaints).

## **9. Inclusive practices**

The Royal Queensland Yacht Squadron is welcoming and we will seek to include members from all areas of our community.

### **9.1 People with a disability**

Where possible we will include people with a disability in the Squadron. We will make reasonable adaptations (e.g. modifications to equipment and rules) to enable participation.

### **9.2 People from diverse cultures**

We will support and respect people from diverse cultures and religions to participate in the Squadron and where possible will accommodate requests for flexibility (e.g. modifications to uniforms).

### **9.3 Sexual & Gender Identity**

All people, regardless of their sexuality, are welcome at the Squadron. We strive to provide a safe environment for participation and will take action over any homophobic behaviour.

### **9.4 Pregnancy**

Pregnant women are aware that their own health and wellbeing, and that of their unborn children, is of utmost importance in their decision making about the way they participate in our sport. We recommend pregnant women consult with their medical advisers, make themselves aware of the facts about pregnancy in sport, and ensure that they make informed decisions about participation.

## **10. Responding to Complaints**

### **10.1 Complaints**

The Squadron takes all complaints about on and off-water behaviour seriously. The Squadron will handle complaints based on the principles of procedural fairness (natural justice), that is:

- all complaints will be taken seriously;
- both the person making the complaint (complainant) and the person the complaint is against (respondent) will be given full details of what is being said against them and have the opportunity to respond (give their side of the story);
- irrelevant matters will not be taken into account;
- decisions will be unbiased and fair; and
- any penalties imposed will be fair and reasonable.

More serious complaints may be escalated to General Committee.

However, complaints under this policy cannot be handled concurrently with any other process that is addressing the complainant's matter or related matter (e.g a Rule 69 hearing – Racing Rules of Sailing)

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then the Squadron will need to report the behaviour to the police and/or relevant government authority.

### **10.2 Complaint Handling Process**

When a complaint is received by the Squadron, the person receiving the complaint (e.g. General Manager) will:

- listen carefully and ask questions to understand the nature and extent of the problem;
- ask what the complainant would like to happen;
- explain the different options available to help resolve the problem;
- take notes; and
- 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. This may involve:

- supporting the person complaining to talk to the person being complained about
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gathering more information (e.g. from other people that may have seen the behaviour);
- seeking advice from our district, regional, state and/or national body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);
- referring the complaint to Australian Sailing; and/or
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

In situations where a complaint is referred to Australian Sailing and an investigation is conducted, the club will:

- co-operate fully;

- ensure the complainant and respondent are not victimised;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on Australian Sailing's recommendations.

At any stage of the process, a person can seek advice from or lodge a complaint with an anti-discrimination commission or other external agency.

### **10.3 Disciplinary Measures**

The Squadron will 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:

- Be applied consistent with any contractual and employment rules and requirements;
- Be fair and reasonable;
- Be based on the evidence and information presented and the seriousness of the breach;
- Be determined by our Constitution, By Laws and the rules of the sport.

Possible measures that may be taken include:

- verbal and/or written apology;
- counselling to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any regattas, activities or events held or sanctioned by the Squadron;
- suspension or termination of membership, participation or engagement in a role or activity;
- de-registration of accreditation for a period of time or permanently;
- a fine; or
- any other form of discipline that the Squadron considers reasonable and appropriate.

### **10.4 Appeals relating to the Sport**

The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by the Royal Queensland Yacht Squadron to Australian Sailing. Appeals must be based on either a denial of natural justice, because of unjust or unreasonable disciplinary measure(s) being imposed, or on the grounds that the decision was not supported by the information/evidence presented and available to the decision maker/Squadron.

## Attachment 1a: WORKING WITH CHILDREN CHECK REQUIREMENTS

A person requires a Working with Children Check (“WWC Check”), also known as a **blue card**, if they propose to work in a paid or voluntary capacity or to carry on a business in a child-related area regulated by the *Commission for Children and Young People and Child Guardian Act 2000*, for at least:

- Eight consecutive days; or
- Once a week for each week during a period of four weeks; or
- Once a fortnight for each fortnight during a period of eight weeks; or
- Once a month for each month during a period of six months.

Once a person is checked and approved, they are issued with a blue card. Volunteers and paid employees employed in a sporting organisation generally fall under the ‘churches, clubs and associations’ category of regulated employment. Volunteers and paid employees employed in private businesses may fall under the ‘sport and active recreation’ category of regulated employment. The check is a detailed national criminal history check including charges and investigations relating to children.

Police Officers and registered teachers do not need to apply for a blue card when providing child related services that fall outside of their professional duties. They should however apply to the Commission for an exemption card.

People such as those with previous convictions involving children are disqualified from applying for or renewing a blue card (refer to website below for details).

As a result of changes and improvements to the blue card system as at the 1<sup>st</sup> of April, 2011 and 1<sup>st</sup> July, 2011 more people will be screened and have their criminal histories monitored. State Government employees and volunteers who work with Children will now be screened through the Commission. It will be compulsory for employers/organisations to notify the Commission if they employ someone who already holds a blue card.

A blue card remains current for two years. Existing card holders will be notified by the Queensland Commission for Children and Young People and Child Guardian before their card expires. It is important to note that Blue Cards issued for applicants received after 1 April 2010 will now be valid for three years, instead of two. Volunteers who are under 18 years of age do not require a Blue Card; however, employees under 18 years of age do require a blue card. In addition to obligations regarding the blue card, **employers** must develop and implement a written child protection risk management strategy and review it each year.

For more information on the blue card, including current forms:

- Visit: <https://www.qld.gov.au/law/laws-regulated-industries-and-accountability/queensland-laws-and-regulations/regulated-industries-and-licensing/blue-card-services>, or
- Call: 13 74 68



## **Attachment 1b: WORKING WITH CHILDREN CHECK REQUIREMENTS - Volunteering parents**

Parents who volunteer at their child's recreational activities [do not require blue cards](#). However, the law also says:

- anyone performing consistent volunteer duties, should apply/obtain a blue card;
- parents must not be considered a restricted person.

It has been our experience that parents have stayed and participated in a volunteering capacity beyond their child's sailing tenure. To ensure the safety of all children and the participation of parents in all activities, including volunteering, we will be introducing new procedures next season.

### **Season 2021/2022**

From season 2021/2022 we will be introducing a volunteering day pass, that can be used by one person (parent who falls into the "exempt category") on one occasion. Day passes will be kept in a register and multiple uses of the day passes will not be permitted.

The day passes are being created to allow for any ad hoc replacements due to illness or sudden unavailability and should not be used for any other reason (e.g. volunteering trials).

Therefore, blue cards and registration into the volunteer management system, will be required for all parents who wish to participate more than once and on an on-going basis.



<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>	