



Cruising Yacht Club  
of South Australia

## **THE CRUISING YACHT CLUB OF SOUTH AUSTRALIA INC and Controlled Entities.**

**MEMBER PROTECTION POLICY** The Member Protection Policy of the Cruising Yacht Club of South Australia forms part of the Club's By-Laws and is binding on the Club's members, employees, guests and other relevant persons.


As part of the By-Laws of the Cruising Yacht Club of South Australia members are required to accept and comply with the Member Protection Policy.

CYCSA employees, contractors and any other persons (non-members) intended to come within the scope of this policy are to be made aware of policy during their induction process and are bound by the conditions of this policy and are required to sign as part of their induction process.

### **Preface**

The Cruising Yacht Club of South Australia is committed to the health, safety and general well-being of all members involved with the Club and its activities. Equally the Cruising Yacht Club of South Australia is committed to the goals of equity and diversity. We aim to provide an environment for the community that fosters fairness, equity, and respect for social and cultural diversity, and that is free from unlawful discrimination, harassment and vilification.

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This Member Protection Policy seeks to foster a culture that values and responds to our community's rich diversity and ensure that all members are aware of their rights and responsibilities. It aims to provide these in the strong acknowledgement of the predominantly volunteer nature of our organisation and its activities.

The Cruising Yacht Club of South Australia is committed to creating a safe, fair and inclusive environment.

Our organisation: -

- Seeks to prevent all forms of harassment, discrimination and abuse and to promote positive behaviour and values
- Will not tolerate inappropriate or unlawful behaviour
- Has a codes of conduct policy which everyone associated with the organisation is expected to abide
- Advises disciplinary action will be taken against individuals if there is a breach of the policy.

***Adam Hays***  
***General Manager***  
***Cruising Yacht Club of South Australia***  
***December 2020***

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## 1. Introduction

The Cruising Yacht Club of South Australia is the State's premier yacht club and caters for over 1200 members with a diverse range of sporting and social interests. Located on both the Le Fevre Peninsula at North Haven and Yorke Peninsula at Port Vincent Marina, the Club was incorporated in 1973.

The Cruising Yacht Club of South Australia Inc is a Boating Club which:

- Provides the highest level of service to its members
- Is prominent in all forms of Boating in South Australia including Racing, Cruising and Fishing
- Is committed to the promotion of boating as a worthy contributor to the community lifestyle

The Cruising Yacht Club of South Australia aims to: -

- Encourage and promote within the greater community the sports of yachting, fishing, power boating, sea and ocean cruising;
- Encourage competitive yachting by the support and promotion of competitive racing including regattas;
- Provide, develop and maintain mooring and hardstand facilities
- Provide and maintain club houses and other buildings and any other things, facilities and services which the Club may from time to time decide upon to encourage such sports and for the use, benefit and enjoyment of the Club members and the public;
- Provide education coaching and youth development programs to encourage participation and achievement in such sports;

The Cruising Yacht Club of South Australia's values are to:

- Be professional in approach and management.
- Strive for excellence and innovation
- Make decisions based on the best interests of the Club and its members
- Strive for open, effective and timely communication.
- Value commercial partners
- Respond to the stakeholders needs
- Work as a team.

## 2. Purpose of Our Policy

The main objective of the Cruising Yacht Club of South Australia's ("our", "us" or "we") Member Protection Policy ("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. 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:

- club committee members, administrators and other club officials;
- instructors, coaches and assistant coaches and other personnel participating in events and activities, including camps and training sessions;
- support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- referees, umpires and other officials;
- competitors;
- members, including any life members;
- parents;
- spectators; and
- contractors

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

Our policy covers all matters directly and indirectly related to the Cruising Yacht Club of South Australia and its activities. The policy governs the behaviour between members, members and employees on the Club's grounds, on the water and also covers private behaviour where that behaviour brings our club or sport into disrepute.

### **5. Club Responsibilities**

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;
- 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 12-18 months; and
- seek advice from and refer serious issues to legal advisors or our state or national sailing body (if applicable).

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**

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 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; and
- 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**

The Cruising Yacht Club of South Australia is committed to the safety and wellbeing of children and young people who participate in our club's activities or use our services. 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 staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

The Cruising Yacht Club of South Australia acknowledges the valuable contribution made by our employees, members and volunteers and we encourage their active participating in providing a safe, fair and inclusive environment for all participants.

#### **7.1.1: Identifying and Analysing Risks of Harm**

The Cruising Yacht Club of South Australia will develop and implement a risk management strategy, which includes a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the action of an employee, volunteer or another person.

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

We will develop and promote a code of conduct that specifies standards of conduct and care we expect of adults when they deal and interact with children, particularly those in our care. We will also implement a code of conduct to promote appropriate behaviour between children.

The codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour. (See Attachment 2)

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

The Cruising Yacht Club of South Australia will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children. 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 Cruising Yacht Club of South Australia will ensure that Working with Children Checks and criminal history assessments are conducted for employees and volunteers

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working with children, where an assessment is required by law. If a criminal history report is obtained as part of the screening process, the Cruising Yacht Club of South Australia will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements.

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

The Cruising Yacht Club of South Australia will ensure that all our employees and volunteers who work with children have ongoing supervision; support and training. Our goal is to develop their skills and capacity and to enhance their performance, so we can maintain a child-safe environment in our club.

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

The Cruising Yacht Club of South Australia will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our club.

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

The Cruising Yacht Club of South Australia will ensure that employees and volunteers are able to identify and respond appropriately to children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable ground that a child has been, or is being, abused or neglected (See Attachment 3).

In addition to any legal obligations, if any person believes that another person or organisation bound by this policy is acting inappropriately towards a child or is in breach of this policy they may make an internal complaint.

Please refer to our complaints procedure in section 10 of this policy. 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 By-Laws 6.7 & 6.9, children under the age of [12] must be supervised at all times by a responsible adult.


For reasons of courtesy and safety, parents must collect their children on time. If it appears a member will be left alone with just one child at the end of any club activity, they will ask another member to stay until the child is collected.

### **7.3 Transportation**

Parents and or guardians are responsible for organising the transportation of their children to and from club activities (e.g. training and games). Where we make arrangements for the transportation of children (e.g. for away matches 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 the appropriate safety measures are in place (e.g. fitted working seatbelts)].

### **7.4 Taking Images of Children**

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Images of children can be used inappropriately or illegally. We require that members, wherever possible, obtain permission from a child's parent or guardian before taking an image of a child that is not their own. We will also make sure that the parent or guardian understands how the image will be used.

To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are used in connection with our club.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the child's parent or guardian. We will not provide information about a child's hobbies, interests, school or the like, as this can be used by paedophiles or other persons to "groom" a child.

We 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.

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

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.

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.



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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 at the Club, it does not mean that they are consenting to the behaviour.

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 management to respond quickly and appropriately.

The Cruising Yacht Club of South Australia Inc recognises that comments and behaviour that do not offend one person can offend another. This policy requires all staff and volunteers to respect other people's limits.

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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**

The Cruising Yacht Club of South Australia 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.

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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.

We 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 organisation bound by this policy, he or she may make a complaint. (Refer to Item 10 of this policy.)

## **9. Inclusive practices**

Our club is welcoming and we will seek to include members from all areas of our community.

The following are examples of some of our inclusive practices.

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

The Cruising Yacht Club of South Australia will not discriminate against any person because they have a disability. Where it is necessary, we will make reasonable adjustments (e.g. modifications to equipment and rules) to enable participation.

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

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 (e.g. modifications to uniforms).

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

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.

### **9.4 Pregnancy**

The Cruising Yacht Club of South Australia 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.

We will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. We will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in sport and ensure that they make informed decisions about their participation in our sport. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with

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Cruising Yacht Club of South Australia. We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person bound by this policy, she may make a complaint (see section 10).

## **10. Responding to Complaints**

### **10.1 Complaints**

Our club takes all complaints about behaviour seriously. Our club will handle complaints based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously;
- the person making the complaint (complainant) will be required to provide full details of what is being alleged (preferably in a signed written statement) and the accused will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and
- any penalties imposed will be reasonable.

More serious complaints may be escalated to a formal disciplinary action under Section 9 of the Cruising Yacht Club of South Australia's Constitution.

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


### **10.2 Complaint Handling Process**

When a complaint is received by our club, the person receiving the complaint (e.g. General Manager, President, Commodore, Flag Officer) will:

- listen carefully and ask questions to understand the nature and extent of the concern;
- ask what 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. 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 state and/or national sailing body or from an external agency (e.g. State Department of Sport or anti-discrimination agency);

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- referring the complaint to our state or national sailing association; 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 an anti-discrimination agency or our state or national sailing association (if applicable in the circumstance) and an investigation is conducted, the club will:

- co-operate fully with the investigation;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on the anti-discrimination agencies or our state or national sailing association's recommendations.

At any stage of the process, a person 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. Serious incidents, such as assault or sexual assault, should be reported to the police.

### **10.3 Disciplinary Sanctions**

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:

- 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; and
- be determined by our constituent documents, by Laws and the rules of the game.

Possible sanctions that may be taken include:

- a direction that the individual makes verbal and/or written apology;
- counselling of the individual to address behaviour;
- withdrawal of any awards, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by our club, noting that any penalties directly relating to yacht racing events are required to be lodged and heard by a protest panel in accordance with the Racing Rules of Sailing;
- 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 our club considers reasonable and appropriate.

### **10.4 Appeals**

The complainant or respondent may in some circumstances be entitled to lodge an appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by our club). The appeal can be made directly to the General Manager or Board of the Club who may arrange for another hearing to take place with a fresh disciplinary or complaints committee to consider the appeal.

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**Attachment 1.1: MEMBER PROTECTION DECLARATION**

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The Cruising Yacht Club of South Australia 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, competitors 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 .....

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**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 1.2: WORKING WITH CHILDREN CHECK REQUIREMENTS

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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:

<https://www.playbytherules.net.au/>

Detailed information, including the forms required to complete a Working with Children Check, are available in South Australia from the Department for Education and Child Development

Website: <https://www.childprotection.sa.gov.au/childsafe>

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)

DCSI Child Related Work Screening: <https://screening.sa.gov.au/types-of-check/child-related-employment>

### **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.




## **Code of Conduct**


The Cruising Yacht Club of South Australia requires all members, volunteers, service providers and employees to comply with the Club's 'Code of Conduct': -

- Respect the rights, dignity and worth of others. Behave in a courteous, respectful and civilised manner at all times, whilst at the Club, representing the Club or at an external Club activity
- Be fair, considerate and honest in all dealing with others. Interact with each other and with Club employees in a courteous, respectful and civilised manner
- Respect the rights of others to enjoy the Club's facilities and services
- Respect the privacy of members, guests, employees and visitors
- Be responsible for the conduct of any guests that you bring to the Club and ensure that they act appropriately and in accordance to the rules of the Club
- Refrain from any form of harassment or bullying
- Respect the health and safety of others (including Club employees)
- Comply with the rules of the Club as detailed in the CYCSA Constitution, By-Laws, Member Protection Policy and other documents that may be in force from time to time and also the rules and guidelines of any sport being conducted at the Club under national and international guidelines where they are applicable.
- Comply with Club policies, dress codes, signage and reasonable directions of employees
- Refrain from any behaviour that may bring the Cruising Yacht Club of South Australia into disrepute.
- Show concern and caution towards others who may be sick or injured.
- Be a positive role model.



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- Understand the repercussions if you breach, or are aware of any breaches of, the Member Protection Policy.

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## **Code of conduct and Policy for observance by Club officials and members leading up to and including the election of Board members pursuant to the Constitution**

During the electoral process any member should be at liberty to debate the suitability of any candidate in comparison with another or others and freedom of expression should be preserved. However, comments that might be interpreted as being the official or specific view of the Board about a candidate or candidates should not be disseminated by members holding official positions within the Club.

They may of course express their private preferences but ensure that the demarcation is made clear.

The only person who should make official observations about the electoral process is the President, or in his or her absence, the Deputy.

Therefore...

1. No official comment shall be made about the annual election of Board members or the electoral process except by the President of the Board (with the approval of the Board), or in his or her absence, by the appointed Deputy.
2. Any member in an official capacity within the Club (including all committee members) shall be at liberty any time to express his or her personal views about a candidate or candidates and the electoral process, but if called upon to do so, confirm that it is a personal conviction

## Attachment 3: REPORTING REQUIREMENTS AND DOCUMENTS

### RECORD OF COMPLAINT

Name of person receiving complaint		Date:     /     /
Complainant's Name	<ul style="list-style-type: none"> <li>▪ Over 18</li> <li>▪ Under 18</li> </ul>	
Complainant's contact details	Phone: Email:	
Complainant's role/status in Club	<ul style="list-style-type: none"> <li>▪ Administrator (volunteer)</li> <li>▪ Athlete/player</li> <li>▪ Coach/Assistant Coach Personnel</li> <li>▪ Employee (paid)</li> <li>▪ Official</li> <li>.....</li> <li>▪ Parent</li> <li>▪ Spectator</li> <li>▪ Support</li> <li>▪ Other</li> </ul>	
Name of person complained about	<ul style="list-style-type: none"> <li>▪ Over 18</li> <li>▪ Under 18</li> </ul>	
Person complained about role/status in Club	<ul style="list-style-type: none"> <li>▪ Administrator (volunteer)</li> <li>▪ Athlete/player</li> <li>▪ Coach/Assistant Coach Personnel</li> <li>▪ Employee (paid)</li> <li>▪ Official</li> <li>.....</li> <li>▪ Parent</li> <li>▪ Spectator</li> <li>▪ Support</li> <li>▪ Other</li> </ul>	
Location/event of alleged issue		



Description of alleged issue	
Nature of complaint (category/basis/grounds)  Can tick more than one box	<ul style="list-style-type: none"><li>▪ Harassment or</li><li>▪ Sexual/sexist methods</li><li><input type="checkbox"/> Sexuality abuse</li><li><input type="checkbox"/> Race abuse</li><li><input type="checkbox"/> Religion Victimization</li><li><input type="checkbox"/> Pregnancy decision</li><li><input type="checkbox"/> Other .....</li></ul> <ul style="list-style-type: none"><li>▪ Discrimination</li><li>▪ Selection dispute</li><li>▪ Personality clash</li><li>▪ Bullying</li><li>▪ Disability</li><li>▪ Child Abuse</li></ul> <ul style="list-style-type: none"><li>▪ Coaching</li><li>▪ Verbal</li><li>▪ Physical</li><li>▪ Unfair</li></ul>
What they want to happen to fix issue	
Information provided to them	



Resolution and/or action taken	
Follow-up action	

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## 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 work at the Cruising Yacht Club of South Australia 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.

Do	Don't
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 CEO, or his/ her nominated delegate of the Cruising Yacht Club of South Australia so that he or she can manage the situation.

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

- The CEO, or his/ her nominated delegate 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. Legal advice should be sought before any interim steps are made if the person is an employee of the Cruising Yacht Club of South Australia
- The CEO, or his/ her nominated delegate will consider what services may be most appropriate to support the child and his or her parent/s.
- The CEO, or his/ her nominated delegate will consider what support services may be appropriate for the alleged offender.
- The CEO, or his/ her nominated 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 Cruising Yacht Club of South Australia).
- The Cruising Yacht Club of South Australia will assess the allegations and determine what action should be taken in the circumstances. Depending on the situation, action may include considering whether the alleged offender should return to his or her position, be dismissed, banned or suspended or face other disciplinary action.
- If disciplinary action is undertaken, we will follow the procedures set out in Item 9 of the Cruising Yacht Club of South Australia's Constitution and Clause 10 of our Member Protection Policy.
- 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 Police  
Non-urgent police assistance  
Ph: 131 444  
[www.sapolice.sa.gov.au](http://www.sapolice.sa.gov.au)

Department for Education and Child Development  
[www.families.sa.gov.au/childsafes](http://www.families.sa.gov.au/childsafes)  
Ph: 131 478





Police contacted	Who: When: Advice provided:
Government agency contacted	Who: When: Advice provided:
President and/or MPIO contacted	Who: When:
Police and/or government agency investigation	Finding:
Internal investigation (if any)	Finding:
Action taken	
Completed by	Name: Position: Signature: / /
Signed by	Complainant (if not a child)

This record and any notes must be kept in a confidential and safe place and provided to the relevant authorities (police and government) should they require them.

**Version Control:**

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