



Geographe Cycle Club Inc.

MEMBER PROTECTION BY-LAW - 31st July 2017

Purpose of The By-law

This By-law supports the Geographe Cycle Club Constitution - Clause 4.7.

Defination: "Club" means the Geographe Cycle Club Inc

The main objective of the Member Protection By-law (By-law) is to maintain responsible behaviour and the making of informed decisions by participants in the Geographe Cycyle Club (Club). It outlines commitment to a person's right to be treated with respect and dignity, and to be safe and protected from abuse. The Rule informs everyone involved in the Club of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required

1. Who the By-law Applies To

The By-law applies to everyone involved in the Club including committee members, riders and non riders.

2. Extent of the By-law

The By-law covers unfair decisions and actions, breaches of the code of behaviour and behaviour that occurs on rides or at social events organised or sanctioned by the Club. It also covers private behaviour where that behaviour brings the Club into disrepute.

3. Club Responsibilities

The Club will:

- implement and comply with the Rule;
- promote the Rule to everyone involved in the Club;
- promote and model appropriate standards of behaviour at all times;
- respond to breaches or complaints made under the Rule promptly, fairly, and confidentially;
- review this By-law every 12-18 months.

Serious issues include unlawful behaviour, that involves or could lead to significant harm and, includes criminal behaviour, will be referred to a law enforcement agency.

4. Individual Responsibilities

Everyone associated with the Club must:

- **comply with the standards of behaviour outlined in our By-law;**
- **treat others with respect;**
- **be responsible and accountable for their behaviour;**
- **follow the guidelines outlined in this By-law if they wish to make a complaint or report**

a concern about possible abuse, discrimination, harassment or other inappropriate behaviour.

5. Anti-harassment, Discrimination and Bullying

The Club 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 club 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.

6. Responding to Complaints

6.1 Complaints

The Club takes all complaints seriously and 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.

If the complaint relates to sexual assault or other criminal activity, then the Club will report the behaviour to the police and/or relevant government authority.

6.2 Complaint Handling Process

When a complaint is received by the Club, the person receiving the complaint (e.g. President, or Committee Member) 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);
- referring the complainant to an external agency such as a community mediation centre, police or anti-discrimination agency.

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.

6.3 Disciplinary Measures

The Club will take disciplinary action against anyone found to have breached our By-law or made false and malicious allegations. Any disciplinary measure imposed under our By-law 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 the Club Constitution.

Possible measures that may be taken include:

- verbal and/or written apology;
- counselling to address behaviour;
- suspension or termination of membership, participation or engagement in a role or activity;
- any other form of discipline that our Club considers reasonable and appropriate.

6.4 Appeals

The complainant or respondent can lodge one appeal against decisions of or disciplinary measures imposed by the Club to the Committee. 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/club.

7. Travelling to other States, Territories or Overseas

It is important to remember that when travelling to other States, or Territories or overseas, representatives of the Club must comply with the legislative requirements of that particular jurisdiction.

Attachment 1: REPORTING FORMS

RECORD OF COMPLAINT

Name of person receiving complaint		Date: / /
Complainant's Name		
Complainant's contact details	Phone:	
	Email:	
Complainant's role/status in Club	<input type="checkbox"/> Office Bearer <input type="checkbox"/> Rider <input type="checkbox"/> Non Rider <input type="checkbox"/> Other	
Name of person complained about		
Person complained about role/status in Club	<input type="checkbox"/> Office Bearer <input type="checkbox"/> Rider <input type="checkbox"/> Non Rider <input type="checkbox"/> Other	
Location/event of alleged issue		
Description of alleged issue		

<p>Nature of complaint (category/basis/grounds)</p> <p>Can tick more than one box</p>	<input type="checkbox"/> Harassment <input type="checkbox"/> Discrimination <input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <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"/> Victimisation <input type="checkbox"/> Pregnancy <input type="checkbox"/> Unfair decision <input type="checkbox"/> Other
<p>What the Complainant wants to happen to fix issue</p>	
<p>Information provided to the Complainant</p>	
<p>Resolution and/or action taken</p>	
<p>Follow-up action</p>	