



Mapleton Bowls Club

Behaviours Policy

Issued: 21/06/2022

Last reviewed: 18/08/2022

Responsibility: Management Committee

Relationship to the constitution: Section 48. Conduct of Members

Relationship to other club policies: Disciplinary Policy, Child Safeguarding, Alcohol Policy, Code of Conduct

Relationship to external policies: Bowls Queensland Member Protection Policy

Purpose

This Behaviours Policy is to be considered in conjunction with the club's constitution and the Bowls Queensland Member Protection Policy. The purpose of this policy is to ensure that members and visitors are clear about behaviours that are acceptable and not acceptable when on the clubs' premises. This policy is an important part of our shaping the clubs' culture and ensuring that everyone feels respected. The policy describes what constitutes unacceptable behaviour, what to do if you experience or witness unacceptable behaviour and outlines the clubs' approach to responding to unacceptable behaviour.

Scope

This policy applies to all ordinary members, life members, junior members, temporary members, social members and honorary members, and visitors (including contractors) to the club. This policy does not cover behaviours involving members or visitors in relations to persons under 18yrs (see Child Safeguarding policy).

Principles

The constitution states that "any member of the club who fails to observe any rules or by-laws of the club or who is deemed guilty of an act, practice or conduct calculated to bring discredit on the game of bowls or to the club, DBA (District Bowls Association) or BQ (Bowls Queensland) or its members, or who on any club, DBA or BQ premises engages in illegal gambling, betting or uses obscene or abusive language renders themselves liable to expulsion or suspension."

Discipline and complaint procedures related to this policy are described in the clubs' disciplinary policy and procedure.

Behaviour expectations

Unacceptable Behaviours

The following is a description of behaviours which are not acceptable from members or visitors either on the club's premises, representing the club at fixtures or undertaking any other duty on behalf of the club. The fundamental principle of this policy is that behaviours perceived or actual, intended, or unintentional, direct, or indirect which are felt to be unacceptable by a member or visitor are managed in a sensitive but systematic and fair manner by the club.

Bullying

Bullying is repeated and unreasonable behaviour directed towards an individual or group of individuals. Bullying can take different forms including psychological, physical, or even indirect (e.g., deliberately excluding someone from activities). It can be obvious, or it can be subtle. It can be physical or online (e.g., club social media).

Examples include, but are not limited to:

- Abusive or offensive language/comments
- Aggressive and intimidating behaviour
- Belittling or humiliating comments
- Practical jokes or initiation
- Unjustified criticism or complaints

Repeated behaviour refers to the persistent nature of the behaviour that can involve a range of behaviours over time.

Unreasonable behaviour means behaviour that a reasonable person, having considered the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating, or threatening.

Violence, Assault and Aggression

Violence occurs when a person is abused, threatened, or assaulted. In the context of the club, this could be either at the club or while carrying out club duties or playing games on behalf of the club.

Examples includes, but are not limited to:

- Physical assault e.g., biting, scratching, hitting, kicking, pushing, grabbing, or throwing objects.
- Intentionally coughing, sneezing, or spitting on someone.
- Sexual assault. Conduct of a sexual nature can include physical intimacy, remarks of a sexual connotation, sexual gesture, action, or comment regardless of the intention of the offender. (Relationships or interactions that are based on mutual attraction or friendship, and which are consensual or reciprocated do not constitute an offence.)(see also the section regarding Harassment below.)
- Harassment or any other behaviour that create a fear of violence, such as stalking, verbal threats and abuse, yelling, swearing (in person, by phone, by email or online).
- Initiation practices.
- Gendered violence, behaviour that is directed at any person or that affects a person because of their sex, gender, or sexual orientation, or because they do not adhere to socially prescribed gender roles.
- Violence from a family member or domestic relationship.

Acts such as assault, stalking and obscene or threatening communications (phone calls, letters, emails, text messages, posts on social media) may be offences under criminal law and may be referred to the police as well as managed by the club.

In some circumstances, family and/or domestic violence can become a club issue if the perpetrator makes threats or is violent towards a partner or family member whilst in the club. If this occurs the management committee will work with the relevant member and potentially other members to develop strategies to prevent domestic and/or family violence whilst on the club premises.

Harassment

Harassment includes behaviours or incidents that are intended to demean, upset, intimidate, or victimise a member or visitor. This can be either an isolated or repeated behaviour.

Examples include, but are not limited to:

- Offensive material such as graffiti, pictures, websites, or posters displayed in the club.
- Offensive email.

- Verbal abuse.
- Racist or bigoted remarks, including casual racism.
- Imitating an accent or cultural habits.
- Imitating a disability.
- Offensive jokes, gossip, and innuendo.
- Ignoring, isolating, or segregating a member or visitor.
- Stalking or persistently following a member or visitor.
- Repeated intrusive questions about a member or visitors personal life.
- Inappropriate touching.

While harassment may involve instances of inappropriate and unwanted touching, sexual harassment (listed under Violence, Assault and Aggression) and inappropriate touching are different.

Hostile sexual harassment involves any unwelcome sexual conduct that is severe or pervasive enough to alter the members environment. It can be of a physical nature (e.g., unwanted touching, bodily contact e.g., patting buttocks, grabbing breasts, kissing), verbal nature (e.g., derogatory statements, sexual comments, jokes) or visual nature (e.g., pornographic posters, sexual gestures).

On the other hand, inappropriate touching involves hugs, touches, and other gestures of a physical nature, but not necessarily of a sexual nature, that tend to make a member or visitor feel uncomfortable.

Discrimination

Discrimination is treating someone differently because they belong to a particular group of people. It occurs when someone is treated less favourably than another person without the protected attribute.

Discrimination based on a protection may be unlawful.

Grounds for discrimination under law:

- Disability. Current, historic, potential disability or friend or relative of someone with a disability. The law protects against the following
 - Physical disability
 - Diseases that make part or all the brain work differently
 - Mental illness or psychiatric disability
 - Behavioural disorders
 - Intellectual disability
 - Learning and cognitive disability
 - Changes to the brain or part of the brain following surgery
 - Different formation of a body part
 - Disease or illness
- Gender.
- Race. The definition of race includes colour, nationality, descent, ethnic and/or ethno-religious background.
- Age.
- Pregnancy or breastfeeding
- Marital or domestic status. The definition of domestic status includes, single, married, in a de facto relationship, separated, divorced, or widowed.
- Gender identity and sexual diversity. This includes transexual, transgender, intersex and misgendering.

- Carers. The law protects people who support or care for:
 - A child
 - Adult
 - Family member
- Political belief and/or trade union activity.
- Irrelevant criminal record.

NB: When determining if discrimination has taken place, the offenders' awareness and motive are irrelevant. Not all discrimination is unlawful. It may be lawful to discriminate where there are genuine accommodations such as special facilities or services that it would be unreasonable to resolve.

What is NOT unacceptable behaviour

Club officers are responsible for managing the club on behalf of all its members. At times this means that the club officers may take reasonable management action directing members and visitors or initiating action against members or visitors. This may involve informing a member that their behaviour is inappropriate or taking actual disciplinary action. Reasonable management action is not bullying.

Reporting Unacceptable Behaviour

It is important to speak-up about unacceptable behaviour. In the first instance members and visitors should 'call-out' the behaviour by asking for it to stop i.e. "This behaviour is inconsistent with the club behaviours policy and code of conduct, please stop". Other strategies may involve assisting members to physically remove themselves from a conversation or situation they find inappropriate.

Club officers are expected to take steps to stop unacceptable behaviour when they observe it. If the behaviour involves violence or the threat of violence, it must be reported to the club management committee and may also be reported to the police.

When reporting an unacceptable behaviour to the management committee, you do not have to make a formal complaint, it is acceptable to make an informal complaint. Often discussing your experience or raising the issue with someone can be helpful and is sufficient. The club will attempt to maintain confidentiality where it is possible and appropriate to do so.

Club officers have an obligation to act promptly and with due process on any complaint of unacceptable behaviour to prevent and address any further breaches of the clubs' Code of Conduct and/or policies. Club officers have a responsibility to be particularly aware of members and visitors with non-visible disabilities, young members and visitors, and members and visitors with vulnerabilities.

Notification of Amendments to this Policy

From time to time this policy will be reviewed and updated. It is your responsibility to ensure that you review the clubs' policies regularly. We will notify you of any significant changes to this policy either by email, the club website and/or our Facebook page.

Disciplinary Action

The club may have to take disciplinary action against members who repeatedly or intentionally fail to follow this policy.

Complaints Procedure

Initial assessment

When a report of an unacceptable behaviour is received, the complainant should be contacted by a representative of the management committee within 48hrs to discuss next steps and offer support. In some circumstances the complainant should be contacted immediately.

In consultation with the complainant, an assessment should be made to determine the appropriate response – informal resolution or formal investigation. This assessment process will have

Regard to:

- the seriousness of the matter
- Whether the conduct was wilful, unintentional (honest mistake), blatant or accidental.
- Whether the alleged conduct was part of a pattern of behaviour or an isolated incident.
- Previous complaints made against the member or visitor.
- Context in which the behaviour occurred.
- Likelihood of establishing the facts.

NB: The management committee may decide not to proceed with the matter if, after making an initial assessment of the allegation, they are satisfied that either the allegation:

- is vexatious or trivial,
- the incident or conduct concerned does not amount to misconduct
- or there is likely to be no likelihood of establishing the facts.

The complainant will be kept informed as the assessment progresses and is notified of the complaint assessment outcome. The respondent should also be informed, where appropriate, at this point. If the complaint was formally lodged but not established, the respondent is informed that a complaint was lodged and assessed but no further action is to be taken.

If a matter is resolved informally, there is no formal record made against the respondent.

Informal Resolution

There are several options available to informally resolve a complaint of unacceptable behaviour without a formal investigation. The focus is to educate the respondent about acceptable standards of behaviour and mitigating the risk of the conduct occurring again.

Formal Investigation

If a formal investigation is to take place, the respondent is notified and advised of the details of the complaint and a formal disciplinary procedure begins (see Disciplinary procedure).