

BY-LAWS & POLICIES

Last Updated: July 2022

BY-LAWS

“By-laws are secondary rules that expand on the Rules of Association (Constitution) and will generally deal with internal, administrative or operational matters that are not required to be included in the Rules. They are subordinate to the Rules, cannot be inconsistent with the Rules and can be easily amended within the club.” – Clubs (WA).

“Guidance Note – Status of By-laws - A by-law must be consistent with the Act, the regulations and these rules. The rules of an association bind the association and the members as an enforceable contract between them. By-laws may not have that status. Therefore, the use of by-laws should be reserved for more procedural or administrative matters.” - Model Rules & Guidance Notes

The making of By-Laws is provided for in the DDCC Rules of Association under Rule 12.

By-Laws:

The Committee shall have the power to make By-Laws and Regulations for fully and effectively carrying out and giving force to the objects, rights, powers and authorities of the Rules of Association and for the regulation and management of the Club. Such By-Laws and Regulations may from time to time be amended, varied or rescinded by the Committee.

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By-Law 1: Code of Conduct – Members *(Last updated October 2021)*

General

The Dunsborough and Districts Country Club is operated primarily by volunteers and a small dedicated staff for the benefit of members.

All members of the Club have an individual and collective responsibility to contribute in a positive way to the operations of the Club. Membership of the DDCC is a privilege and carries with it a responsibility to uphold our reputation and not engage in conduct that is unbecoming, contrary to the laws of Australia, brings the DDCC and its members into disrepute or is contrary to the Rules of Association or by-laws of the DDCC.

All members of the club are to recognise and respect the individual privacy rights of other members when dealing with official matters in meetings or otherwise within the operation of the club.

Members and Visitors agree to abide by the Member's Code of Conduct:

- To respect the rights, dignity and worth of others, regardless of their gender, ability, cultural background, political beliefs or religion;
- To be fair and considerate in all dealings with others;
- To be tolerant of other users of the facilities;
- To behave in a manner that ensures the reputation and standing of DDCC;
- To behave in a manner that ensures the health and safety of staff, members and visitors;
- To behave in a manner that respects the physical property and facilities provided by DDCC;
- To behave in a manner that meets the high standards of social behaviour which are customary and traditional for sporting and social clubs; and
- To not abuse or cause offence to members, staff and visitors.

Behaviours that are not acceptable can fall within the following:

The use of coercion, force or threat, abuse, aggressive domination or intimidation of others. Unacceptable behaviours may take the form of either emotional, verbal, physical or cyber, and may include but not be limited to:

- Bullying
- Sexual harassment
- Undue criticism.
- The spreading of untrue or malicious rumours.
- The use of insulting or offensive language or comments towards or about others.
- Excluding or isolating people from club activities.
- Assigning difficult or meaningless tasks to members or employees.
- Verbal abuse.
- Physical abuse.
- Withholding information needed to perform a task.
- Emailing others regarding personal disputes or criticism of others.

The Clubs Member's Code of Conduct applies equally to all members and their guests, including members from other clubs visiting the Club for competitions or functions. Members are encouraged to self-monitor to ensure that they do not stray into indulging in any of the above behaviours themselves as well as having the confidence to recognise that they have the right to stand against such behaviours.

The Management Committee of the DDCC may take any action considered necessary on a reported breach of this Code of Conduct and any member found in breach may be dealt with as specified under the Club's Rules of Association. Any visitor breaching this code may be asked to leave the premises.

The DDCC does not tolerate discrimination, harassment, bullying, or threatening behaviour. Members must not act in a way that creates risk to themselves or others.

At all times parent and guardians shall be responsible for the behaviour of their children on DDCC premises.

Complaints

No member will reprimand a Club employee. All complaints should be brought to the attention of the Manager or to the Management Committee in writing.

Enviorns

The environmental protection of the lease area of the DDCC is vital so littering, lighting of fires or the discharge of waste material is not permitted.

Members who bring dogs into DDCC grounds are expected to ensure their dog is on a leash, always under their control and the owner cleans up after them.

Behaviour at Competitive Sporting Events

The following behaviour is considered inappropriate at competitive sporting events and will not be permitted:

- participation in any illegal activity, including possession or consumption of any illegal substances, or the supply of such substances;
- the supply of alcohol or tobacco to minors,
- stealing or destruction of property of any kind or conduct of a gross, obscene or loud nature;
- swearing, abusive language and/or action against another competitor or participant;
- loud or excessive noise which may result in the disturbance of other participants, or members of the public;
- parents (or other custodians) shall be responsible for the conduct of persons in their care under 18 years of age at all times.
- protests regarding disputes in relation to a competition may be made, as relevant, in accordance with the rules of the sport in question;
- complaints in regard to the organisation or administration of an event must be directed, in writing, to the Manager; and

- physical and/or verbal abuse of any nature directed against other members, opponents, staff, event officials or volunteers is not considered appropriate and is not permitted.

Within the Clubhouse

Members, family and guests will ensure that the comfort of other patrons is not unreasonably disturbed. Members, family and guests will respect other patrons and will conduct themselves in a manner that will not cause offense.

Junior members and children may be admitted to the licensed areas provided that they are under parental or adult supervision.

Club facilities are to be left clean and tidy after use and any identified issues that require attention should be reported to staff.

Members and staff will abide by the Responsible Service of Alcohol legislation.

Dress Code

Members shall comply with a reasonable standard of casual dress. Members who have represented the club at a sporting event on that day can wear their club uniform. Members shall be responsible for the attire of their guests.

Smoking (including e-cigarettes)

By law, smoking is not permitted in the clubhouse or within three (3) metres of any entrance.

Smoking is not permitted on any playing surface.

Smokers must dispose of butts correctly in the bins provided.

Members are to respect the rights of other members who wish to smoke in designated smoking areas.

Designated smoking areas will be signed and may change from time to time.

Complaints & Disputes

Members are encouraged to stand up against any unacceptable behaviour and support others who feel they have been affected. If the affected party wishes to make a complaint they should, in the first instance, speak with the Club Manager.

Complaints and/or reports concerning failure to comply with this Code of Conduct may be referred to the Club Manager or Management Committee for consideration and if applicable disciplinary action may be taken in accordance with the DDCC Rules of Association.

All members must follow the Club Rules of Association, By-laws and Policies to handle any disputes.

By-Law 2: Code of Conduct - Management Committee Members

(Last Updated October 2021)

The Management Committee are the persons who under the rules of the incorporated association have the power to manage the affairs of the club.

Duties and Responsibilities

As a member of the Management Committee of the Dunsborough & Districts Country Club inc.

- I will act within the Club Rules of Association.
- I will take all reasonable steps to ensure the club complies with:
 - its obligations under the Act;
 - the Club Rules of Association;
 - any funding agreements or other contracts;
 - its legal responsibilities to any employees;
 - its legal responsibilities to members, volunteers and persons who use the club's services;
 - insurance requirements; and
 - any other relevant laws or regulations.
- I understand I have a duty of care and diligence and will exercise my powers and discharge my duties with the degree of care and diligence that a reasonable person would exercise.
- I will exercise my powers and discharge my duties in good faith in the best interests of the club and for a proper purpose.
- I will not improperly use my position to gain an advantage for myself or another person or cause detriment to the club.
- I will not improperly use information obtained as a committee member to gain an advantage for myself or another person or cause detriment to the Club.
- I will not allow the club to incur a debt if:
 - the club is insolvent at the time the debt is incurred or becomes insolvent by incurring that debt, or by incurring at that time debts including that debt; and
 - immediately before the debt is incurred:
 - there are reasonable grounds to expect that the club is insolvent; or
 - there are reasonable grounds to expect that, if the club incurs the debt, the club will become insolvent,

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- aside from ensuring the privacy and confidentiality of any individuals mentioned during any meeting, I will maintain the confidentiality of proceedings and matters relating to the strategic governance and management of the Club.
- I will declare all material personal interests, whether financial or non-financial, and leave the committee meeting during discussion and voting.

Corporate Governance

As a representative of Club Members, I understand I should:

- Act with discipline and integrity by being transparent, honest and consistent in my decision-making process and take full responsibility for my actions and activities connected with the Club.
- Co-operate fully with Club Members, the Club Management and the community at large.
- Provide strategic direction so that the Club is able to set specific goals and targets that are consistent with the mission and vision of the Club.
- Only deal with governance issues and do not participate in the day-to-day management of the Club.
- Monitor performance so that the Club is able to achieve targets and goals within a predetermined time-frame.
- Ensure conformity so that the Club does not violate the Club Rules of Association and any legislative, ethical or community standards when achieving goals and targets.
- Report progress to Club Members so that Club Members fully endorse the policy directions taken by the Committee.
- Subscribe to ethical business practices by not endorsing, encouraging or promoting measures that lead to tax evasion; false representation of products and services; misuse of the market power of their Club; violation of the environment; abuse of community trust, or other illegal practices.
- Ensure good risk management procedures are in place which at minimum undertake to avoid, eliminate or minimise the element of risk associated with the exposure of their Club to mismanagement, market forces, business dealings and industrial relations activities, and to myself personally in my decision-making process.
- Commit myself to continually update my knowledge on various legislation, policies and practices that affect the Club Industry.
- Advocate good employment practices in the Club by ensuring that the Club complies with industrial relations legislations and anti-discrimination legislation; minimum pay and working conditions; and sexual harassment, workplace health and safety and other work-related issues.
- Promptly declare to a meeting of the Committee any gift or gratuity over \$100 offered to me in my capacity as a Committee Member and will abide by the decision of the Committee as to the best way to dispose of these gifts or gratuities.

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- Report to the President and only operate through the President.
- Consult with Club Members on all policy direction issues in accordance with the Club Rules of Association; with these consultations occurring through the President.
- Only liaise with and work through the Club Manager or most senior staff member and no other member of staff.
- Establish clear guidelines for myself that promote a sense of group responsibility including:
 - Attendance to meetings;
 - Expertise contribution;
 - Governance;
 - Supporting the President in representing the Club;
 - Use and direct Club resources, whether financial or otherwise, prudently.

Any Committee Members who fail to abide by this Code of Conduct will be subject to disciplinary action for misconduct, as per the Club Rules of Association.

Declaration of Acceptance

I, _____ (Name),

As _____ (Position)

Of the Dunsborough & Districts Country Club inc.

- Declare that I have read and understood the Committee Member's Code of Conduct, as outlined above, and agree to abide by its provisions during my service to the above-mentioned Club.
- I also understand that failure to abide by this Code of Conduct will result in disciplinary action being taken against me, as per the Club Rules of Association.

_____/____/____

(Signature) (Date)

_____/____/____

(Witness) (Date)

By-Law 3: Code of Conduct – Children

General

Members and visitors who are children and young people agree to:

- abide by this Code of Conduct;
- play by the rules;
- respect the physical property and facilities provided by the DDCC;
- treat all other children and young people as you like to be treated;
- do not bully or take unfair advantage of others;
- control their temper;
- verbal abuse of officials and sledging other members or competitors, deliberately distracting or provoking other competitors is not acceptable or permitted;
- be a good sport; and
- respect the rights, dignity and worth of all participants regardless of their gender, ability, cultural background or religion.

Complaints and Disputes

Complaints and/or reports concerning failure to comply with this Code of Conduct may be referred to the Manager or Management Committee for consideration and if applicable disciplinary action may be taken in accordance with the DDCC Rules of Association

All members must follow the Club Rules of Association by-laws and policies to handle any disputes.

By-Law 4: Code of Conduct – Interactions with Children

The DDCC is committed to the safety and wellbeing of children and youth who use our services or attend our Club.

Our volunteers and staff will treat them with respect and understanding at all times. To ensure children and youth are kept safe from harm, the following code of conduct for interacting with children and youth applies.

This code of conduct applies to all volunteers and persons working with children and youth in our organisation.

The standards of appropriate behaviour include:

- be ethical, fair and honest in all their dealings with others;
- treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations;
- always place the safety and welfare of children/youth above other considerations;
- comply with the DDCC Rules of Association, by-laws and policies;
- operate within the rules and spirit of the sport;
- comply with all relevant Australian laws (Federal and State), particularly antidiscrimination and child protection laws;
- be responsible and accountable for their conduct;
- respect the rights, dignity and worth of every person, regardless of their abilities, gender, religion or cultural background;
- language – no swearing, derogatory terms, sexual jokes/innuendos;
- relationships – no special favours/relationships;
- physical contact – only if necessary due to nature of activities and age/abilities of children and youth;
- cultural diversity – respect for all people regardless of cultural identity and cultural practices/behaviour;
- bullying and harassment – the DDCC does not tolerate bullying or harassment by anyone, including amongst children/youth; and
- behaviour management and discipline – corrective practices are not punitive, humiliating or aggressive.

Illicit substances

Staff, volunteers and all other persons shall not use or be affected by the use of drugs or alcohol while in the presence, engagement and caring for children and young people from the time they are dropped off to the time they are picked-up. This includes prescription medications that affect mental alertness and capacity.

Photography

Staff, volunteers and all other persons shall not take, publish or distribute photographs of children and youth without the express permission of their parent or guardian.

Electronic communication

Staff, volunteers and all other persons shall not use email, telephone and internet communication with young people without the express knowledge of the youth's parent or guardian.

In the event that the code of conduct for interacting with children/youth is breached, actions will be taken in accordance with our Rules of Association or the law.

Complaints and Disputes

Complaints and/or reports concerning failure to comply with this Code of Conduct may be referred to the Manager or Management Committee for consideration and if applicable disciplinary action may be taken in accordance with the DDCC Rules of Association

All members must follow the Club Rules of Association by-laws and policies to handle any disputes.

By-Law 5: Determination and Eligibility for Life Membership

The purpose of this By-Law is to provide the Members of the Management Committee, and in addition, all Members of the club, the minimum criteria required before any member is to be considered eligible for nomination of an award of "Life Membership" of the DDCC.

1. Definition:

The club's definition of "Life Membership" is that it is the highest award available, to recognise the exceptional contribution of an individual who has extended their commitment to ensure the current and future existence of the DDCC, and therefore it is only to be awarded in exceptional circumstances.

2. The criteria:

The criteria to be taken into account when considering any nomination for an award of "Life Membership" shall include:

- (a) the general attitude, and overall demeanour, of the nominee;
- (b) attitude should be one that not only reflects a dedication to the values of the DDCC, but one that also reflects credit upon the DDCC through leadership and good role modelling;
- (c) the nominee is respectful and courteous in their behaviour towards others;
- (d) the nominee promotes harmony and is broadly respected across the membership;
- (e) the Nominee for Life membership must have given at least 10 years continuous membership to the DDCC, unless exceptional circumstances can be cited, and in addition, be a current financial member of the club;
- (f) the service to the club must have reflected favourably upon the DDCC;
- (g) participating to a much greater extent than the average Member;
- (h) membership of a committee or length of service alone is not appropriate, or an automatic trigger, for consideration of the award; and
- (i) a Life Membership award shall not include a spouse. The spouse must be nominated in their own right;

3. Nomination Process:

As recorded in the club's Rules of Association, any member may nominate another member to the category of Life Member, providing that:

- (a) the nominee is proposed and seconded by existing financial members of the DDCC;
- (b) the nomination is in writing, and articulates the reasons why Life Membership should be considered appropriate, and in addition, cites examples of work or involvement which have significantly progressed the DDCC to ensure its current and future existence; and
- (c) nominations shall be submitted to the club's Secretary, or a Management Committee member, no later than four (4) weeks before the club's AGM or any other date set by the Management Committee.

4. Assessment Process:

All Nominations shall be treated strictly in confidence and discussed only within the Management Committee.

- (a) verify that both proposer and seconder are financial members of the DDCC;
- (b) verify that the nominee has been a continuous financial member of the Dunsborough and Districts Country Club for at least 10 years;
- (c) use resources at hand to ascertain the validity of the nominee as being an acceptable, or otherwise, recipient of such an award;
- (d) obtain a vote from all members of the Management Committee, either at meeting, or by electronic mail, or otherwise. If the nomination is a current member of the Management Committee, then that person shall be excluded from the vote and associated communications; and
- (e) if the Management Committee accepts the validity of the nomination, then arrangements shall be made to announce and present the award at the next AGM or any other date set by the Management Committee.
- (f) All discussion and voting around the nominations should be strictly confined to members of the Management Committee and no minutes of the committee discussion and decision is to be recorded in the Management Committee minutes.
- (g) The decision of the Management Committee is final and there is no right of appeal.

5. Benefits of Life Membership:

Life Membership shall be recognised by:

- (a) an official "Life Membership Certificate";
- (b) listing on the DDCC Life Members Honour Board; and
- (c) an honorary membership of the DDCC, equivalent to a "full membership category".

6. Forfeiture of Life Membership:

This provision will only be exercised in exceptional circumstances. The Life Membership award shall be forfeited upon any failure to observe any By-laws, or constitutional requirements, where the recipient has conducted him/herself in a manner that reflects directly and/or adversely on the image or activities of the DDCC. As part of the deliberations by the Management Committee, the Life Member in question shall be given an opportunity to present their case for retention of their Life Membership status. Forfeiture shall be enacted upon by the passing of a Resolution to the club's members for the removal from Life Membership for reasons not limited to but for bringing the name of the DDCC into disrepute.

By-Law 6: Sub-Committee Formation & Guidelines *(Last updated April 2022)*

Under the club Rules of Association, Rules 22 (e) and (f), the Management Committee can delegate its powers to sub-committees or permit Members interested in particular sports for which the Club provides facilities to apply to form and to elect sub-committees to organise the conduct of such sports.

1. Where a sub-committee is formed the following guidelines apply:
 - (a) The objectives of the sub-committee are to be documented;
 - (b) For sports sub-committees the minimum number of people on the committee to be five;
 - (c) That the sub-committee commits to a minimum of bi-monthly meetings, minutes are kept and circulated to the sub-committee members and are available to the sport section's members and Management Committee on request;
 - (d) That an Annual General Meeting of a sports sub-committee is to be held at which the whole committee, the Chairman, Secretary and other positions chosen by that sub-committee are elected.
 - (e) Monthly reports are to be presented prior to the Management Committee meeting and are to contain changes to the sub-committee, reports on projects being undertaken, requests for new projects to be approved, indication of future events to be scheduled in the DDCC calendar and any issues the sub-committee wishes to bring to the attention of the Management Committee.
 - (f) And that minor sponsorship for the conduct of the weekly sport events (trophies etc) is the responsibility of the sports Section.

2. Such Sub-Committee must report to and be responsible to the Management Committee.

3. The Sport Sub-committee responsibilities are:
 - (a) to manage the activity in the best interest of the members of the sport or activity they represent;
 - (b) to organise social activities;
 - (c) to maintain the infrastructure and assist with the raising of funds for repayment of infrastructure loans as negotiated with the Management Committee;
 - (d) to endeavour to continually improve the activity in terms of enjoyment and social interaction;
 - (e) to determine and collect any playing fees (eg. green fees, ball fees) which are to be paid by participants for organised play in their sport, if any.
 - (f) to prepare an annual budget for the sports section to be delivered during May on request from The Management Committee;
 - (g) to follow the proscribed procedure of applying for approval of funds for a project or maintenance and that the sub-committee representative on the Management Committee will submit the project to the Management Committee at the following meeting for approval.
 - (h) Sub-committees must when considering new developments or changes to facilities (as distinct from general maintenance) give due consideration and consult with other sport sections who are likely to be impacted.

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4. The Management Committee must when considering any new developments or changes to facilities (as distinct from general maintenance) give due consideration and consult with the sub-committees of all sports sections who are likely to be impacted.
5. Where conflicts arise that become unsolvable within or between sub-committees it must be taken before the Management Committee for adjudication with the Management Committee having the ability to dissolve the standing sub-committee and call for nominations if an impasse is reached.

By-Law 7: Financial Management of the Club

The purpose of this By-Law is to ensure that the DDCC has in place a sound financial structure and follows recognized financial management procedures.

There are specific financial responsibilities under the Associations Incorporations Act that require the Club to ensure that:

- there is compliance in relation to financial accounting and reporting to members as per Australian Accounting Standards.
- the club adheres to all state and commonwealth reporting and taxation requirements and ensures all required statutory insurances (e.g., liability, workers compensation) are maintained.
- the club can pay all its expenses and ensure that all taxation and other government returns, and payments are authorised and paid when due.
- the conditions of any funding agreement, grant or loan, are followed.
- the accounts, books, and all other financial records of the club are audited each year.
- there are good risk management procedures in place.
- all property and income of the club will apply solely to the promotion of the objects of the club; and
- no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.

The Management Committee accepts these responsibilities, and to this end, the following procedures shall apply:

The Treasurer

As a member of the Management Committee, the Treasurer shall be responsible for the proper accounting of all income and expenditure.

Club funds are generally received from membership fees, sponsors, fund raising activities, clubroom hire, court hire, course hire, green hire, social events, playing fees, donations, and over the bar sales. They may be collected in person, via electronic banking and occasionally through the mail.

Receiving revenue

All monies received by the club shall be ultimately received by the treasurer and immediately paid into such bank, or recognised financial institution, as the Management Committee may determine from time to time.

Cash received through the mail or through cash deposit chutes

At least once each week the Club Manager or designated person will collect mail from the Club's post office box and street side letterbox. The cash deposit box inside the golf/tennis room and the bowls/croquet box inside the clubhouse should also be emptied weekly. On opening the mail or deposit envelopes, the designated person shall take a note of the sport or sender and pass on cash payments (and invoices/receipts) to the Treasurer or, if authorised, bank the money and pass details to the Treasurer.

Cash received for playing fees and raffles collected by sports sections

Several times a month the Club Manager or designated person shall receive and process cash collected for playing fees, proceeds from raffles or other fundraising activities delivered to the office by each sport section treasurer or their representative. The sport section is to be clearly identified and the cash passed to the Treasurer or, if authorised, bank the money and pass details to the Treasurer.

Issuing receipts and membership reconciliation

The Treasurer or representative shall:

- issue a receipt for monies received, where necessary.
- ensure particulars of members' fees are recorded in the Member Register.
- calculate the total fees for individual membership categories.
- complete a "Membership Receipts Summary" and reconcile it to the total funds received.
- email the completed "Membership Receipts Summary" to the Membership officer.
- verify any funds received from all activities of the club (except bar) are recorded on the "General Receipts Summary".
- deposit all cash received into the club's operating account(s).
- enter the total amount deposited in the accounting system (MYOB).

Receipts from Bar

The Treasurer or his representative (Club Manager or bar manager) shall at least once each week (more frequently if large sums are taken) collect cash, EFT and credit receipts from the bar staff:

- verify the funds handed over match the totals recorded on the daily bar summary sheets.
- examine and verify entries on the "Bar Receipts Summary" form;
- ensure receipts for cash purchases are attached to the "Bar Receipts Summary" form and that sufficient details are recorded on the form to indicate the correct account for posting in the accounting system (MYOB).
- if complimentary drinks have been provided, ensure details are recorded.
- verify and acknowledge the cash has been received on the "Bar Receipts Summary" form.
- deposit the cash received into the club's operating account(s) and provide a banking summary for entry into the accounting system (MYOB).
- enter the analysis of the amounts from the banking summary into the accounting system (MYOB).
- file the daily bar summaries and the banking summary in date order.

Paying Accounts

No expenditure over the limit agreed from time to time by the Management Committee shall be incurred without the authority of the Management Committee. Similarly, no expenditure by a sporting Sub-committee over the limit agreed can be incurred or paid without approval by a majority of the Management Committee.

All Accounts due by the club are paid by electronic payment (if available). All payments and signatories to accounts are signed by any two of the following: President, Vice-President, Treasurer, Secretary.

Payments made by Direct Credit or B/Pay with the bank shall be entered by one authorised person and co-authorised by another of the above.

On receipt of an invoice the Treasurer (or designated person) shall:

- check that the calculations are correct and sign accordingly.
- check to see that the invoice has not previously been paid.
- verify and acknowledge that the goods or services have been received and process the account for payment.
- make payment, noting the date paid and ensure payment is co-authorised.
- record the transaction in the accounting system (MYOB) and file the invoice for audit purposes.

Account Reconciliations and Reporting

The Treasurer shall:

- obtain bank statements as at the end of each month and reconcile the accounting system (MYOB). Any deficiencies shall be brought to the attention of the President and the Management Committee immediately.
- table a statement at each Management Committee meeting showing end of previous month balances of all Bank Accounts and Term Deposit accounts and the financial position of the club, with a comment as to the position against budget together with a report on outstanding debtors and creditors;
- submit to the Annual General Meeting a statement of income, expenditure, assets, and liabilities, and in addition, ensure that the auditor's report is attached to such financial report by the treasurer.
- after presentation to the AGM the reports are held by the Secretary.

Maintenance, Preservation and Usage of Reserve Funds

At the end of each Financial Year a determination will be made by the Management Committee under the advice of the Club Treasurer, as to the amount of money to be allocated from current funds and deposited in the club's Term Deposit Accounts as Reserve funds for the renewal of specific sports facilities and surfaces.

It is agreed under this By-Law '...that any funds allocated to a sport section and held in reserve for a specific purpose and for which a nominated bank account exists cannot be re-allocated by the management committee for another purpose without the express approval of that sport section committee.'

(Motion approved Management Committee Minutes 9 June 2020.)

By-Law 8: Hire of the Club premises and playing surfaces

POLICIES

General policies can be set that are subject to change by the Management Committee at any time. It is desirable to limit the number of policies designated as formal “By-laws” to procedural and administrative matters and focus attention on creating other key “Policies”.

This gives the Management Committee the flexibility and opportunity to identify the organizational practices that are important to them. By-laws take precedent over policies, and policies must be in harmony (not conflict) with the By-laws.

Policy A: Business Continuity Policy

The Dunsborough & Districts Country Club Inc. (the Club) is an Incorporated, not for profit association governed by a volunteer Management Committee and as such guided by its Rules of Association (July 2018). Financial management, duty to staff, members and maintenance of infrastructure are important milestones within those Rules and this Policy is focussed on maintaining these and other obligations during natural disasters (pandemics, fire, earthquakes, floods etc.).

The major bush fires that devastated vast areas and towns in the eastern states during the summer of 2019/20 and the current Covid-19 Pandemic have and are showing that Australian communities need to develop robust plans and procedures that are in place, simple to follow, and can be activated at short notice.

This Policy is to be reviewed quarterly and will form the basis of the Club’s plan to ensure it has a list of Actions that can be implemented rapidly, will help minimise risk(s) and provide a preparedness to manage key obligations like finances, care for staff, members, visitors and maintain infrastructure for as long as possible and or until governmental and other assistance is available and or the natural disaster is eliminated.

1.0 Pandemic (State Government based Lock Downs)

1.1 Finances

As we have seen in March 2020 when, due to the spread of COVID-19, the state government ordered communities in Western Australia into a lock down there were a number of immediate challenges for the Club; normal revenue streams ceased, members stopped playing sports and attending the Club, staff, Sponsors and business owners were compromised, wages, utilities, loans and bills still had to be paid. During that March period the Club’s normal expenses amounted to approximately \$10,000/month.

Actions

- Create a Business Continuity Reserve Account – initially \$20,000 (increased by CPI and reviewed annually);
- Expenditure from all sporting sections and the administration staff to be strictly limited - \$100 per item and signed off by the Manager;

- Operational expenditure – once a lock down is announced affecting this region the Executive Committee (President, Vice President, Secretary & Treasurer) are to immediately meet with the Manager and review the Club finances and authorise the Manager to access the above Reserve Account as normal revenue streams would have ceased.

1.2 Public Health Protocols

Actions

- Ensure sign in, Q code and appropriate sanitisers are in place at the entrance to the Club as per health requirements;
- Inform the City of Busselton what actions the Club has taken;
- Sanitise all public areas if the Club buildings have been implicated in any suspected cross-contamination, ensuring appropriate procedures, chemicals and PPE are worn by staff during sanitisation;
- Ensure all staff, members and visitors are tested following a suspected cross-contamination event and quarantine & isolation procedures are followed as per Health orders.

1.3 Member Communications

Actions

- Advise all members via the Club e-Newsletter and hardcopy letters for those without email that the Club and all sporting areas are closed until further notice;
- Encourage those members to get tested and the vaccinated and the locations and timing for such undertakings;
- Keep up the regular e-Newsletter emails ensuring to embed clear progress of any localised outbreak, reassuring members as to the resilience of the community and endeavouring to lift spirits at the same time.

1.4 Building & Function areas

Actions

- Advise the health authorities and the City of Busselton that the Club function centre is available for any localised mass testing and or vaccination undertakings.

1.5 Infrastructure Maintenance Programs

Actions

- Advise sporting sections that maintenance of their playing areas is suspended until further notice;
- Normal maintenance schedules will resume when lock down directives are lifted but volunteers are to wear appropriate PPE when working together.

2.0 Fire, Earthquake or Flood

Should any of these events occur to a catastrophic level then it is highly likely that the Club building and all associated infrastructure would have been damaged or destroyed. All of the actions above would be generated but in particular the following would take precedence:

Actions

- Ensure the evacuation and safety of all staff, members and visitors at the Club;
- Inform the City of Busselton and the Club Insurance agencies;
- Access the Business Continuity Reserve Account to investigate temporary office accommodation;
- Expenditure from all sporting sections and the administration staff to be strictly limited - \$100 per item and signed off by the Manager;
- Operational expenditure – the Executive Committee (President, Vice President, Secretary & Treasurer) are to immediately meet with the Manager and review the Club finances and authorise the Manager to access the above Reserve Account as normal revenue streams would have ceased;
- Communicate regularly with our members via the Club e-Newsletter and inform our Sponsors as to events and further developments.

Policy B: Child Safe Policy *(Last Updated October 2021)*

Our commitment to child safety

Dunsborough and Districts Country Club Inc. (The Club) is committed to child safety.

We want children to be safe, happy, and empowered.

We support and respect all children, as well as our staff and volunteers.

We are committed to the safety, participation, and empowerment of all children.

We have zero tolerance of child abuse, and all allegations and safety concerns will be treated very seriously and consistently with our robust policies and procedures.

We have legal and moral obligations to contact authorities when we are worried about a child's safety, which we follow rigorously.

The Club is committed to preventing child abuse, identifying risks early and removing and reducing these risks.

We are committed to the cultural safety of Aboriginal children, the cultural safety of children from culturally and/or linguistically diverse backgrounds, and to providing a safe environment for children with a disability.

If you believe a child is at immediate risk, phone 000.

Our children

This policy is intended to empower children, who are vital and active participants at The Club. We involve them when making decisions, especially about matters that directly affect them. We listen to their views and respect what they have to say.

We promote diversity and acceptance at The Club, and people from all walks of life and cultural backgrounds are welcome. In particular, we:

- promote the cultural safety, participation, and empowerment of Aboriginal children
- promote the cultural safety, participation, and empowerment of children from culturally and/or linguistically diverse backgrounds
- ensure that children with a disability are safe and have an equal opportunity to participate.

Our staff and volunteers

This policy guides our staff and volunteers on how to behave with children at The Club.

All our staff and volunteers must agree to abide by our code of conduct By-Law 4: Code of Conduct – Interactions with Children which specifies the standards of conduct required when working with children.

Training and supervision

Training and education are important to ensure that everyone at The Club understands that child safety is everyone's responsibility.

Our organisational culture aims for all members, Management Committee, staff, volunteers, families and children to feel confident and comfortable in discussing any allegations of child abuse or child safety concerns.

New Management Committee, staff and volunteers will be advised of the requirements of this policy to ensure they understand The Club's commitment to child safety and that everyone has a role to play in protecting children from abuse. This will include checking that their behaviour towards children is safe and appropriate (please refer to The Club's By-Law 4: Code of Conduct – Interactions with Children for information about appropriate behaviour). Any inappropriate behaviour will be reported through appropriate channels, including the Department for Child Protection and WA Police, depending on the severity and urgency of the matter.

Recruitment

We take all reasonable steps to employ skilled people to work with children. The Club understands that when recruiting board members, staff, and volunteers, we have ethical as well as legislative obligations.

We encourage applications from Aboriginal people, people from culturally and/or linguistically diverse backgrounds and people with a disability.

All people who are engaged in child-related work and who are not exempt, including volunteers, are required to hold a Working with Children Check and to provide evidence of this check.

We carry out reference checks to ensure that we are recruiting the right people.

Fair procedures for staff and volunteers

The safety and wellbeing of children is a primary concern. We are also fair and reasonable to all staff and volunteers. The decisions we make when recruiting, assessing incidents, and undertaking disciplinary action will always be thorough, transparent, and based on evidence.

We record all allegations of abuse and safety concerns using our incident reporting form. All records are securely stored. If an allegation of abuse or a safety concern is raised, we provide updates to children and families on progress and actions we as an organisation take.

Privacy

All personal information considered or recorded will respect the privacy of the individuals involved, whether they be staff, volunteers, families, or children, unless there is a risk to someone's safety. Everyone is entitled to know how this information is recorded, what will be done with it and who will have access to it. This is intended to protect reporters and to

ensure that all members of The Club are comfortable to disclose any allegations or concerns in relation to child safety without repercussions.

Legislative responsibilities

The Club takes its legal responsibilities seriously, including:

- Failure to disclose: All adults in Western Australia who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to WA Police
- Mandatory reporting: Any board members, staff or volunteers who are mandatory reporters (doctors, nurses, midwives, teacher, principals, and police officers) must comply with their duties
- Failure to protect: People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so
- Reportable conduct: The head of our organisation must be made aware of any allegations of physical and sexual abuse, sexual misconduct, significant emotional or psychological harm or significant neglect by an employee or volunteer towards a child. We are also legally required to notify the Commission for Children and Young People of the allegation
- Duty of care: If a child is abused by an individual associated with our organisation, our organisation is presumed to have breached its duty of care unless it can prove that it took 'reasonable precautions' to prevent the abuse in question.

Risk management

In Western Australia, organisations are required to protect children when a risk is identified. In addition to general occupational health and safety risks, we proactively manage risks of abuse to our children.

Allegations, concerns and complaints

The Club takes all allegations seriously and has practices in place to investigate thoroughly and quickly. Our board members, staff and volunteers are trained to deal with allegations appropriately.

We work to ensure all children, families, board members, staff and volunteers know what to do and who to tell if they observe abuse or are a victim, and if they notice inappropriate behaviour.

We all have a responsibility to report an allegation of abuse if we have a reasonable belief that an incident took place. If an adult has a reasonable belief that an incident has occurred then they must report the incident. Factors contributing to reasonable belief may include:

- a child states they or someone they know has been abused (noting that sometimes the child may in fact be referring to themselves)

- behaviour consistent with that of an abuse victim is observed
- someone else has raised a suspicion of abuse but is unwilling to report it
- observing suspicious behaviour.

Regular review

This policy will be reviewed every two years and following significant incidents if they occur. We will ensure that families and children have the opportunity to contribute. Where possible we will do our best to work with local Aboriginal communities, culturally and/or linguistically diverse communities and people with a disability.

Policy C: Health, Safety and Environment Policy

The Dunsborough and Districts Country Club (The Club) is a popular hub for sport and social events in the region. Sports include (but not restricted to) Bowls, Croquet, Tennis, Golf, Mountain Biking, Yoga, Mah-jong & Canasta. The Club has a Clubroom with a licensed bar and a restaurant service.

The Club and facilities are run and maintained by members, volunteers, staff and the Club Manager with a Club Management Committee of volunteer members overseeing the running of the club.

Purpose

To provide a sporting club with safe, hygienic facilities and a safe and healthy environment for club members, visitors, volunteers and staff.

Policy

The Management Committee and Club Manager are committed to keeping all people associated with the club safe and to minimise exposure to, and harm from hazards.

The Club will follow and adhere to Safety Management Procedures and guidelines under the Occupational Safety & Health Act to ensure:

- Hazards are identified by reporting and regular inspection
- Injuries and Near miss Incidents are recorded, reported and investigated
- Hazards are assessed for seriousness and likelihood of injury
- Hazards are controlled to reduce risk of injury
- Compliance with legal requirements for control of certain hazards
- Hazard controls are reviewed for effectiveness
- Timely completion of corrective and improvement actions
- Responsible Service of Alcohol
- Hygienic purchase, preparation, service and storage of food
- Information, Instruction Training and Supervision for staff, volunteers, members and contractors
- Preparedness for Emergencies
- A Covid-19 safe environment in accord with Government & Medical Authority guidelines.
- Appropriate Public Liability and Workers Compensation Insurances are maintained.
- Environmental footprint is managed for power, water and waste
- Local habitat, fauna and flora is protected

The Club Management Committee and Club Manager will regularly review the effectiveness of the Safety Management Procedure.

By this The Club will be safe and enjoyable for all to see and experience.

Policy D: Privacy Policy *(added April 2022)*

The Dunsborough & Districts Country Club inc. (**The Club**) values and respects the privacy of the people we deal with. The Club is committed to protecting your privacy and complying with the Privacy Act 1988 (Cwlth) (**Privacy Act**) and other applicable privacy laws and regulations.

This Privacy Policy is based on the Australian Privacy Principles (**APPs**) in the Privacy Act.

Under this policy all members are to recognise and respect the individual privacy rights of other members when dealing with official matters in meetings or otherwise within the operation of the club.

Aside from ensuring the privacy and confidentiality of any individuals mentioned during any meeting, all participants are to maintain the confidentiality of proceedings and matters relating to the strategic governance and management of the Club.

This Privacy Policy also describes how we collect, hold, use and disclose your personal information, and how we maintain the quality and security of your personal information.

What personal information do we collect?

The personal information we collect about you depends on the nature of your dealings with us or what you choose to share with us. The following personal information we collect about you is for the purposes of processing your application for membership and in order to communicate with you on an ongoing basis about club business.

- Name;
- Mailing or street address;
- Date of Birth (for Junior members only)
- Email address;
- Home Phone or Mobile number;
- Gender (optional);

We also collect information from businesses to enable us to purchase goods and services from them. This will usually be:

- Business Name;
- Business Mailing or street address
- Phone or Mobile number
- Contact person
- GST or ABN Registration
- Bank Account details for payment of accounts by us

When you have financial dealings with the club as a Member or Sponsor your name and contact details may be recorded in the Club Accounting system, MYOB, which is an internet-based system hosted in Australia.

The Club does not retain Credit or Debit Card details for any members, businesses or sponsors with whom we have financial transactions. We do retain Bank Account details for businesses with whom we regularly do business.

How do we collect your personal information?

We collect your personal information directly from you when you:

- interact with us over the phone;
- interact with us in person;
- interact with us online;
- participate in surveys or questionnaires;
- attend a club event;
- subscribe to our mailing list;
- apply for a position with us as an employee, contractor or volunteer;

How do we use your personal information?

We use personal information for many purposes in connection with our functions and activities, including the following purposes:

- provide you with information or services that you request from us;
- deliver to you, important information about club activities and operation;
- improve the quality of the services we offer;
- internal administrative purposes;

Disclosure of personal information to third parties

We may disclose your personal information to third parties in accordance with this Policy in circumstances where you would reasonably expect us to disclose your information. For example, we may disclose your personal information to our third-party service providers (for example, our IT systems providers).

Transfer of personal information overseas

Some of our third-party service providers may be based in or have servers located outside of Australia, including in the USA and Canada. Our private membership system <https://dcc.wildapricot.org/> is currently hosted by Wild Apricot (Personify) in the USA and/or Canada.

Our main Public Website <https://dunsboroughcountryclub.org.au/> is hosted by Wordpress.com hosted in the USA.

We do not directly disclose your personal information to third parties overseas. Your information may be stored in databases on servers which are located overseas but this information is not directly made available to those providers. All information in these systems is controlled and managed by us and is private to us insofar as that is possible with any data stored outside our physical control.

When you have financial dealings with the club your name and contact details may be recorded in the Club Accounting system, MYOB, which is also internet based but is hosted in Australia.

Club use of Social Media Platforms

The club uses social media platforms Facebook and Instagram to promote and inform you of the club calendar of events. We do not solicit information from you via these platforms. Any personal information you post to these platforms is your responsibility alone.

How do we protect your personal information?

The Club will take reasonable steps to ensure that the personal information that we hold about you is kept confidential and secure, including by:

- having a robust physical security of our premises and databases and printed records;
- taking measures to restrict access to only personnel who need that personal information to effectively provide services to you;
- having technological measures in place (for example, anti-virus software, fire walls);

Online activity

Cookies

The Club's websites may use cookies. A cookie is a small file of letters and numbers the website puts on your device if you allow it. These cookies recognise when your device has visited our website before, so we can distinguish you from other users of the website. This improves your experience on the club's websites.

We do not use cookies to identify you, just to improve your experience on our website(s). If you do not wish to use the cookies, you can amend the settings on your internet browser so it will not automatically download cookies. However, if you remove or block cookies on your computer, please be aware that your browsing experience and our website's functionality may be affected.

Website analytics

Our website uses Jetpack (a plugin on our Wordpress website platform) to help us better understand visitor traffic, so we can improve our services. This data cannot be connected to you.

Club Newsletters

We will not send you Direct Marketing however we will send you weekly Club Newsletters with details of events on the club calendar, Management News and Sports News if you have requested or consented to receive such communications. These communications will be sent by Email or Australia Post.

You may opt-out of receiving email communications from us at any time by following the instructions to "unsubscribe" set out in the newsletter or contacting us using the details set out in the "How to contact us" section below.

Retention of personal information

We will not keep your personal information for longer than we need to. In most cases, this means that we will only retain your personal information for the duration of your relationship with us unless we are required to retain your personal information to comply with applicable laws, for example record-keeping obligations.

- Your Membership information is deleted from the Wild Apricot Membership System when you resign or withdraw your sponsorship from the club.
- If your membership fees have not been paid in any year your membership will Lapse until the fees are paid or until the following year when your membership will be suspended and your information will be Archived within the database. Your information can then only be accessed by the authorised Membership officer of the club.
- All records of financial transactions are retained under ATO guidelines which are currently 5 years.
- All transaction records on the MYOB Accounting System are held for the current Financial Year only. An archive copy of the MYOB database is taken each year and retained for a maximum of 5 years.

How to access and correct your personal information

The Club will endeavour to keep your member personal information accurate, complete and up to date.

If you wish to make a request to access and / or correct the personal information we hold about you, you should make a request by contacting us and we will usually respond within 48 hours. Any requests should be made by contacting the club Membership officer on (08) 9755 3250 or email membership@dunsboroughcountryclub.org.au

Links to third party sites

The Club website(s) may contain links to websites operated by third parties. If you access a third-party website through our website(s), personal information may be collected by that third party website. We make no representations or warranties in relation to the privacy practices of any third-party provider or website and we are not responsible for the privacy policies or the content of any third-party provider or website. Third-party providers / websites are responsible for informing you about their own privacy practices and we encourage you to read their privacy policies.

Managing Employee Records

All employee paper records are held in a secure location within the club office, which is locked when unattended. Digital records are also maintained on the MYOB accounting system. Records are only retained while you are employed by us and for a maximum of 5 years after employment ends, for ATO purposes.

Inquiries and complaints

For complaints about how The Club handles, processes or manages your personal information, please contact the Manager on (08) 9755 3250 email manager@dunsboroughcountryclub.org.au

Please allow up to 48 hours for The Club to respond to your complaint. It will not always be possible to resolve a complaint to everyone's satisfaction. If you are not satisfied with The Club's response to a complaint, you have the right to contact the Office of Australian Information Commissioner (at www.oaic.gov.au/) to lodge a complaint.

How to contact us

If you have a question or concern in relation to our handling of your personal information or this Policy, you can contact us for assistance as follows:

Email

manager@dunsboroughcountryclub.org.au

Contact phone number

(08) 9755 3250

Post

The Manager
Dunsborough & Districts Country Club inc.
PO Box 57,
Dunsborough 6281

Source for this Policy:

<https://www.oaic.gov.au/privacy/guidance-and-advice/guide-to-developing-an-app-privacy-policy/>

Template from:

<https://digitaltransformation.org.au/guides/cyber-security/privacy-guidelines-not-profits>

Policy E: Sponsorship Policy *(work in progress)*

Policy F: Member Protection Policy

(added July 2022)

Summary

The Dunsborough & Districts Country Club inc. (DDCC or The Club) is committed to ensuring that everyone involved with The Club is treated with respect and dignity and is protected from abuse, bullying, harassment, sexual misconduct, unlawful discrimination, victimisation, and vilification. The Club Rules of Association and Codes of Conduct By-Laws implement that protection for club Members and Visitors alike. This Policy seeks to ensure that everyone involved with our club is aware of their rights and responsibilities and sets out the standards of behaviour expected of those involved with our club and the behaviours that are not acceptable ('Prohibited Conduct').

This policy has been prepared using a template provided by Sport Integrity Australia under the National Integrity Framework.

<https://www.sportintegrity.gov.au/what-we-do/national-integrity-framework>

1. Definitions and interpretation

1.1 Defined terms

In this Policy, the following words have the corresponding meaning:

Abuse - means any type of abuse (including physical, emotional, psychological, sexual, and inappropriate use of power) that has caused, is causing or is likely to cause harm to a person's wellbeing, whether in person or as the result of a publication viewable by any other person by any means.

Bullying - means a person or group of people repeatedly and intentionally using words or actions, or the inappropriate use of power, against someone or a group of people to cause distress and risk to their wellbeing.

Harassment - means any type of behaviour towards a person that they do not want and that is offensive, abusive, belittling or threatening and is reasonably likely to cause harm to the person who is the subject of the harassment.

Policy - means this Member Protection Policy including any schedules and annexures.

Prohibited Conduct - means the conduct proscribed at clause 3 of this Policy.

Sexual Misconduct - means:

(a) **Sexual Harassment**, which is any unwanted or unwelcome sexual behaviour where a reasonable person would anticipate the possibility that the person being harassed would feel offended, humiliated, or intimidated; and

(b) **Sexual Offences**, which include any criminal offence involving sexual activity or actions of indecency.

Unlawful Discrimination includes:

(a) **Direct Discrimination**, when a person or group of people is treated less favourably than another person or group, because of a personal characteristic; and

(b) **Indirect Discrimination**, when an unreasonable rule or policy applies to everyone but has the effect of disadvantaging some people because of a personal characteristic they share, where such personal characteristic is protected by applicable anti-discrimination legislation.

Victimisation means subjecting a person, or threatening to subject a person, to any unfair treatment because the person has made, or intends to pursue their right to make, a complaint or lawful disclosure, including under applicable legislation or this Policy, or for supporting another person to take such action.

Vilification means a public act, conduct or behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of, a person or group of people because of a particular characteristic they hold, as covered by applicable legislation, including their race or religion, or homosexuality, transgender, or HIV/AIDS status.

1.2 Interpretation

Definitions of Abuse, Bullying, Harassment, Sexual Misconduct, Unlawful Discrimination, Victimisation and Vilification must be read in the context of SCHEDULE 1.

2. Jurisdiction

2.1 Who the Policy applies to?

This Policy applies to Members, Employees and all Visitors to The Club.

2.2 When the Policy applies

(a) All Persons to whom this Policy applies must always comply with this Policy, including:

(i) in relation to any dealings, they have with The Club or the staff, contractors, and representatives;

(ii) when dealing with other Clubs and Club Members in their capacity as a member of The Club; and

(iii) in relation to their Membership in general.

(b) The following is not within the scope of this Policy:

(i) where an interaction (including social media interactions) occurs, and the only link or connection between the interaction and The Club is the fact that one or more individuals are Members of The Club (*see note 1.*); and

(ii) where Prohibited Conduct occurs in contravention of this Policy, any subsequent conduct, or interaction(s) that, whilst related to the original Prohibited Conduct, no longer directly relates to The Club (even where such conduct or interaction(s) would otherwise be Prohibited Conduct (*see note 2.*)).

3. Prohibited Conduct

3.1 Prohibited Conduct

A Member of, or a Visitor to The Club commits a breach of this Policy when they, either alone or in conjunction with another or others, engage in any of the following conduct against one or more Members or Visitors, in the circumstances outlined in clause 2:

- (a) Abuse;
- (b) Bullying;
- (c) Harassment;
- (d) Sexual Misconduct;
- (e) Unlawful Discrimination;
- (f) Victimisation; or
- (g) Vilification.

4. Complaints & Disputes

Members are encouraged to stand up against any unacceptable behaviour and support others who feel they have been affected. If the affected party wishes to report a breach of this policy they should, in the first instance, speak with the Club Manager as the Club's designated Member Protection Information Officer (MPIO).

Complaints and/or reports concerning failure to comply with this Policy may be referred to the Club Manager or Management Committee for consideration and, if applicable, disciplinary action may be taken in accordance with the DDCC Rules of Association.

All members must follow the Club Rules of Association, By-laws and Policies to handle any disputes.

Notes:

- 1. Such as two Members of The Club getting into a verbal or physical argument at a shopping centre, or two Members sending abusive social media messages to each other that have no direct link to The Club.*
- 2. Such as where a Member of The Club allegedly breaches this Policy by physically assaulting another Member at a match, but then the personal grievance(s) between those two individuals spills into issues not directly related to The Club, such as social media abuse or trolling.*

SCHEDULE 1 - Examples of Prohibited Conduct

1. Abuse must be behaviour of a nature and level of seriousness which includes, but is not limited to:

(a) physical abuse and assault including hitting, slapping, punching, kicking, destroying property, sleep, and food deprivation, forced feeding, unreasonable physical restraint, spitting at another person or biting;

(b) sexual abuse including rape and assault, using sexually degrading insults, forced sex or sexual acts, deliberately causing pain during sex, unwanted touching or exposure to pornography, sexual jokes, using sex to coerce compliance;

(c) emotional abuse such as repeated and intentional embarrassment in public, preventing or excluding someone from participating in sport activities, stalking, humiliation, or intimidation;

(d) verbal abuse such as repeated or severe insults, name calling, criticism, swearing and humiliation, attacks on someone's intelligence, body shaming, or aggressive yelling;

(e) financial abuse such as restricting access to bank accounts, taking control of finances and money, forbidding someone from working, taking someone's pay and not allowing them to access it;

(f) neglect of a person's needs.

2. Bullying must be behaviour of a nature and level of seriousness which includes, but is not limited to, repeatedly:

(a) keeping someone out of a group (online or offline);

(b) acting in an unpleasant way near or towards someone;

(c) giving nasty looks, making rude gestures, calling names, being rude and impolite, constantly negative and teasing;

(d) spreading rumours or lies, or misrepresenting someone (i.e., using their social media account to post messages as if it were them);

(e) 'fooling around', 'messaging about' or other random or supposedly playful conduct that goes too far;

(f) harassing someone based on their race, sex, religion, gender, or a disability;

(g) intentionally and repeatedly hurting someone physically;

(h) intentionally stalking someone; and

(i) taking advantage of any power over someone else,

but does not include legitimate and reasonable:

(a) management action;

- (b) management processes;
- (c) disciplinary action; or
- (d) allocation of activities in compliance with agreed systems.

3. Harassment must be behaviour of a nature and level of seriousness which includes, but is not limited to:

- (a) telling insulting jokes about racial groups;
- (b) sending explicit or sexually suggestive emails or text messages;
- (c) displaying racially offensive or pornographic images or screen savers;
- (d) making derogatory comments or taunts about someone's race;
- (e) asking intrusive questions about someone's personal life, including his or her sex life;
- (f) sexual harassment or any of the above conduct in the workplace by employers, co-workers, and other workplace participants;
- (g) any of the above conduct in the workplace, based on or linked to a person's disability or the disability of an associate; and
- (h) offensive behaviour based on race or racial hatred, such as something done in public that offends, insults, or humiliates a person or group of people because of their race, colour or nationality or ethnicity.

4. Sexual Misconduct is behaviour including, but not limited to:

- (a) unwelcome touching;
- (b) staring or leering;
- (c) suggestive comments or jokes;
- (d) showing or sharing sexually explicit images or pictures;
- (e) unwanted invitations to go out on dates;
- (f) requests for sex;
- (g) intrusive questions about a person's private life or body;
- (h) unnecessary familiarity, such as deliberately brushing up against a person;
- (i) insults or taunts based on sex;
- (j) sexually explicit physical contact;
- (k) sending sexually explicit or suggestive emails, texts, or other electronic/social media messages;
- (l) displaying pornographic images or screen savers;

(m) asking intrusive questions about someone's personal life, including about his or her sex life; and

(n) criminal offences such as rape, indecent or sexual assault, sexual penetration, or relationship with a child under the age of 16 and possession of child pornography.

5. Unlawful Discrimination is unfair treatment based on a person's:

(a) age;

(b) disability;

(c) race, colour, nationality, ethnicity, or migrant status;

(d) sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding; and

(e) sexual orientation, gender identity or intersex status.

6. Victimization is behaviour including, but not limited to:

(a) dismissal of an employee/volunteer or disadvantage to their employment/involvement in sport;

(b) alteration of an employee's position or duties to his or her disadvantage;

(c) discrimination between an employee and other employees;

(d) repeated failure to select an individual on merit;

(e) a reduction in future contract value; and

(f) removal of coaching and other financial and non-financial support.

7. Vilification is behaviour including, but not limited to:

(a) speaking about a person's race or religion in a way that could make other people dislike, hate, or ridicule them;

(b) publishing claims that a racial or religious group is involved in serious crimes without any evidence in support;

(c) repeated and serious verbal or physical abuse about the race or religion of another person;

(d) encouraging violence against people who belong to a particular race or religion, or damaging their property; and

(e) encouraging people to hate a racial or religious group using flyers, stickers, posters, a speech, or publication, or using websites or email.