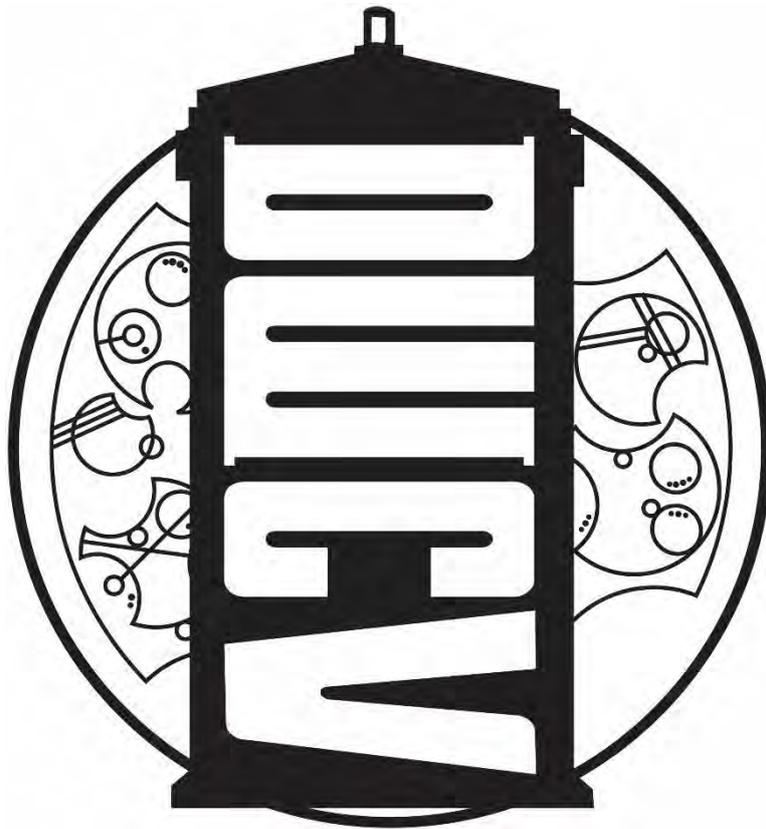


Chivalry @DWCV



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Introduction and Summary

What's this policy for?

In the age of medieval knights the knights were bound by a code of behaviour. The code put a high value on being very polite, honest, brave, kind and respectful to everyone. As the Doctor lives by a similar code of behaviour and expects this from his companions we felt this was an appropriate name of our behaviour policy.

DWCV is committed to creating a family friendly environment free from discrimination, vilification, sexual harassment, bullying and victimisation (together known as unacceptable behaviour). We want to create a place where our members and other external parties feel free to be themselves and share their opinions and

We encourage you to raise any questions about this policy with the committee and any concerns about unacceptable behaviour in accordance with the process outlined in this policy.

This policy may be reviewed, varied, added to or withdrawn by DWCV at any time, at the committee absolute discretion.

Who does it apply to?

It applies to all members, volunteers and guests.

When does it apply from?

The Chivalry @DWCV Policy is effective from 01 May 2018.

How often will we review this policy?

When required.

Who approved it?

The DWCV committee

Who owns it?

The DWCV executive committee

Who do I talk to about it?

You can take any questions about the policy to any committee member.

What happens if there are conflicts between different policies?

If there are any conflicts with this policy and another DWCV policy, the DWCV executive committee will resolve the discrepancy

What are the penalties for the club not complying with this policy?

While this policy only applies to individuals, if the club fails to enforce it, the Club's reputation maybe irreparably damaged and lead the closure of the club.

What are the penalties for members who don't complying with this policy?

All breaches of this behaviour policy will be investigated and may lead to disciplinary action, up to and including termination of membership and bans from attending events.

Application of this Policy

Who does this policy apply to?

This policy applies to everyone, including members, committee members, volunteers and guests.

When does this policy apply?

This policy applies to the behaviour of everyone:

- at club events, including club meetings at the hub and social meetings
- on social media
- interactions between members outside club events
- when representing the club in any way including wearing a T-shirt or badge identifying you as a member.

Responsibilities

Parental responsibilities

The club is a family friendly environment. DWCV is committed to make our younger members feel welcome and to this end we happily provide activities for them at our club meetings, however we don't offer a child minding service.

Children under 15 must be supervised at all time by an adult. It's the parent's/guardian's responsibility to ensure children are being monitored for their own safety.

General responsibilities

All members, volunteers and guests must respect the rights of each other and never engage in unacceptable behaviour.

You have a right to enjoy an environment free of discrimination, harassment, vilification and bullying and so does everyone else around you.

Individuals are responsible for ensuring that they:

- are familiar with this policy and
- comply with this policy.

Committee Members

Committee members as leaders of the club must also take all reasonable steps to ensure that our club is free from unacceptable behaviour. To facilitate this, committee members should:

- ensure their behaviour is appropriate and professional at all times
- be on the lookout for unacceptable behaviour and where possible actively discourage and prevent it. When it occurs identify and report the incident to the committee.
- encourage open dialogue about any concerns
- treat complaints (formal or informal) seriously and take steps to resolve them in accordance with this policy

Discrimination

How does discrimination happen?

Discrimination can happen either directly or indirectly.

- **Direct discrimination** occurs when a person is treated (or is proposed to be treated) unfavourably because of any of the grounds or attributes listed below.

- **Indirect discrimination** occurs when there is an unreasonable rule, requirement or practice which appears neutral, but which will (or is likely to) disadvantage people with an attribute or ground listed below.

For example, the minimum height requirement that used to exist in the police force directly discriminated against short people on the basis of physical appearance, and indirectly discriminated against women and people of certain races, who tend to be shorter.

Unacceptable grounds or attributes of discrimination

In the DWCV, discrimination based on any of the following grounds or attributes is unacceptable:

- sex
- marital status
- pregnancy or potential pregnancy
- race
- religion
- political beliefs
- disability, illness or injury
- sexual orientation or lawful sexual activity
- gender history, gender identity, transgender or transsexual status
- carer status, parental status or family responsibilities
- physical features
- breastfeeding
- age, or
- personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes

Discrimination on the above grounds is not only against DWCV policy, but may breach either federal or state legislation, or both. Legal action can be taken against individuals who breach this legislation, as well as against the club.

Examples of discriminatory behaviour

Discrimination may involve:

- offensive 'jokes' or comments about another person's racial or ethnic background, sex, sexual preference, age, disability, and the like
- display of pictures, calendars, pin-ups, posters, computer images (eg in electronic mail messages or posts on social networking sites to which work colleagues have access) etc which are offensive or derogatory

- expressing negative stereotypes of particular groups, for example, 'married women shouldn't be working'
- judging a person on characteristics such as religious or political beliefs, cultural practices, sex or age or
- using stereotypes or assumptions when making decisions about a person's career

Exceptions

In some situations the legislation may provide exceptions to discrimination or permit what would otherwise be unlawful discrimination. In these circumstances discrimination will be permissible. For example, while it is unacceptable to discriminate against a person with a disability, what would otherwise be unlawful discrimination may be justified if the person cannot perform the inherent requirements of their position, even with reasonable adjustments.

Vilification

What is vilification?

Vilification is a public act which incites hatred towards, serious contempt for, or severe ridicule of, a person or group on the ground of:

- race
- religion
- homosexuality or sexual orientation
- HIV/AIDS status
- gender identity, or
- disability

Vilification breaches this policy and may also breach either federal or state legislation, or both. Legal action can be taken against individuals who breach this legislation as well as against the club. It may also amount to a criminal offence if physical harm is threatened towards a person or their property.

Examples of vilification

Vilification can take many forms, including hate-speech, graffiti, websites and other types of written material. It is an act which happens publicly, as opposed to privately.

Examples of vilification include:

- a person inciting their workmates to racially abuse an Aboriginal man in a cafeteria
- posters and graffiti inciting hatred of Jewish people being put up in a workplace, or
- a person urging workmates to abuse a Muslim employee and remove her Hijab (veil).

What is not vilification?

Free speech is protected, so the following things are not vilification:

- a fair report by TV, radio or newspaper of someone else's act of hatred (unless extra material has been added which is vilifying)
- fair discussions or debates about issues, done 'reasonably and in good faith', or
- material used in parliament, courts, tribunals or other government inquiries

Sexual Harassment

What is sexual harassment?

A person sexually harasses another person if they:

- make an 'unwelcome sexual advance'
- make an 'unwelcome request for sexual favours', or
- engage in other 'unwelcome conduct of a sexual nature',

and a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the other person would be offended, humiliated or intimidated.

'Conduct of a sexual nature' includes:

- subjecting a person to any act of physical intimacy
- making, orally or in writing, any remark or statement with sexual connotations to a person or about a person, and
- making any gesture, action or comment of a sexual nature

Sexual harassment breaches this policy and may also breach either federal or state legislation, or both. Legal action can be taken against individuals who breach this legislation as well as against the club.

Motive or intention is irrelevant

Sexual harassment is unwelcome, uninvited behaviour which is offensive **from the viewpoint of the person being harassed**. It does not matter that the offender did not mean or intend to sexually harass the other person. In other words, an offender's 'innocent intent' is irrelevant.

Examples of sexual harassment

Sexual harassment can involve any physical, visual, verbal or non-verbal conduct of a sexual nature including both a series of incidents or one-off incidents.

Depending on the circumstances, some other examples of sexual harassment are:

- displays of sexually graphic material including posters, pictures, calendars, cartoons, graffiti or messages left on boards or desks
- electronic mail messages, voice mail messages, SMSs, screen savers, posts on social networking sites to which work colleagues have access, any material of a sexual nature downloaded from the internet, or viewed on a computer, offensive telephone calls, faxes, or gifts
- deliberate and unnecessary physical contact, such as patting, pinching, fondling or deliberately brushing against another body, attempts at kissing
- leering or staring at a person's body
- Inappropriate 'humour' such as smutty or sexist jokes or comments
- Innuendo, including sexually provocative remarks, suggestive or derogatory comments about a person's physical appearance, inferences of sexual morality or tales of sexual performance
- repeatedly asking someone out, especially after prior refusal, and
- intrusive inquiries into a person's private life or in reference to a person's sexuality

Behaviour can breach this policy even if it is not unlawful

The club may decide that behaviour breaches this policy even if a complaint has not been raised. For example, storing and viewing sexually explicit images on a mobile device may constitute sexual harassment under this policy even if a complaint has not been made against the offender. This behaviour is still unacceptable at the club, even if it is not unlawful, and may result in disciplinary action being taken.

Bullying

What is bullying?

Bullying is repeated unreasonable behaviour directed towards person that creates a risk to their health and safety. Unreasonable behaviour is that which victimises, humiliates, undermines or threatens the person being bullied, or would reasonably be expected to do so.

Bullying can also amount to stalking, which is a criminal offence reportable to the police.

Examples of bullying

Bullying can include behaviour such as:

- verbal or written abuse (e.g. being sworn at, threats, insults, continual criticism, name calling, practical jokes, unjustified threats of dismissal)
- direct violence including physical assault and harassment
- threatening body language
- constant, intrusive surveillance or monitoring, and

What bullying does not include

Bullying does not include:

- genuine and reasonable disciplinary procedures
- constructively delivered feedback or counselling that is intended to assist an individual in improving their behaviour.
- directing and controlling how an activity is run

Victimisation

DWCV does not permit retaliation against a person just because they propose to, have, or are believed to have made a complaint of unacceptable behaviour under this policy. DWCV also does not permit retaliation against a bystander who intervenes to assist someone who may have been subjected to unacceptable behaviour.

Victimisation is unlawful and can breach either federal or state legislation, or both. Legal action can be taken against individuals who breach this legislation as well as against the club.

If someone raises a complaint with you about your behaviour

If a person raises a complaint directly with you about your behaviour, you should appreciate that they are letting you know that they find your behaviour unacceptable. They are giving you an opportunity to change your behaviour, and possibly prevent a formal complaint from being made against you. If someone does raise a complaint with you about your behaviour,

you should consider monitoring and changing your behaviour, and you must not victimise the person making the complaint.

Key features of DWCV complaint procedure

The DWCV complaint procedure is:

Confidential

Only the people involved in the attempted resolution or the investigation of an issue or complaint will have access to information about it. This means that only those people with a genuine role to play in helping to resolve an issue or complaint should know its details or discuss them. Anyone found to have engaged in gossip or innuendo about an issue or complaint is at risk of disciplinary action from DWCV.

DWCV considers confidentiality one of the most important aspects of dealing with issues and complaints about unacceptable behaviour. However, in some circumstances information may not be able to be kept confidential, such as where physical threats are involved or the law otherwise requires it.

Respectful

Everyone involved in an issue or complaint raised under this policy will be treated with dignity and respect throughout the complaint process. Similarly, everyone involved in an issue or complaint is required to treat each other with dignity and respect even if they feel aggrieved by a situation.

Fair and impartial

Both parties will have the opportunity to tell their side of the story. No assumptions will be made and, to the extent possible, no action will be taken until all relevant information has been collected and considered.

Supportive

No action will be taken against anyone for making or helping someone to raise an issue or a genuine complaint. DWCV will take all reasonable steps to support anyone raising an issue or making a complaint, and to ensure that they are not victimised.

Prompt

All issues and complaints will be dealt with as quickly as possible.

Complaint procedure

The complaints procedure outlines the process for addressing unacceptable behaviour.

There are three options for complaints resolution.

1. Self-management (Recommended approach)

At DWCV we support openness and honest communication, so if you believe that you are experiencing unacceptable behaviour, in the first instance, we encourage you to raise it directly with the person involved. This should help to ensure that the other person is fully aware that their behaviour is unwelcome, or that you believe it is unacceptable.

This may include:

- advising the person that their behaviour is offensive, insulting, humiliating or intimidating and asking for the behaviour to stop

- explaining why the person's behaviour is inappropriate
- if necessary, advising the person that if the behaviour does not stop you will take further action.

However, if self-management does not resolve your concerns, or if you are not comfortable with raising your concerns directly with the other person, you should raise your concerns with the committee.

2. Informal approach

The informal process focuses on resolving the problem and moving forward rather than proving something actually happened. This means that the matter can be resolved without any formal findings. These processes are non-judgemental and are based on the premise that DWCV has two members it values and does not wish to lose, and that all parties feel they can resolve the issue and move forward displaying mutual respect and appropriate behaviours.

Informal complaints resolution processes may include:

- a mediated discussion between the parties. An impartial party (i.e. committee member with the appropriate skills and authority) may mediate this meeting. Both parties determine the outcome but the mediator controls the process. During these meetings, both parties have a right to have their perspective heard
- a mediator negotiating individually between the parties to reach an agreement that is acceptable to both
- a complainant raising their concerns with committee member and, as a result, they attempts to observe the unacceptable behaviour and intervene directly.

While it is intended that a majority of complaints can be resolved through the self-management or informal approach, it may be necessary for a committee member to escalate an issue where it is deemed to be serious in nature or the unacceptable behaviour is continuing.

3. Formal complaint and investigation

You may refer an issue or complaint to a committee member for a formal investigation.

In managing the issue or complaint, the committee member may:

- take notes
- request you to provide your complaint in writing
- interview relevant witnesses
- conduct an investigation and determine whether to substantiate or refute the alleged inappropriate behaviour
- advise the complainant and the respondent of the outcome of the investigation
- determine or recommend an appropriate course of action to the club executive, including any disciplinary action.

Where necessary, the committee may delegate the authority to investigate an issue or complaint to an independent third party.

Any investigation will be conducted in line with the principles set out in Key features of DWCV complaint procedure. Both the complainant and the respondent may wish to involve a support person in this process. Their role is to support the member in an advisory/support capacity.

Withdrawing a formal complaint

The complainant may withdraw their complaint at any stage. However, a complainant who decides to withdraw a complaint may be interviewed by the a committee member to determine if the complaint is being withdrawn due to victimisation. If so, or if the complaint is deemed to be serious in nature, the investigation may continue, and any potential victimisation will be managed in line with this policy.

Substantiated complaints

If a complaint is substantiated DWCV will take appropriate action. If you are found to have breached this policy you may be subject to appropriate disciplinary action, which may include a ban from attending events for a set of time or termination of membership or ending your relationship with DWCV.

Malicious or false complaints

If you are found to have raised a malicious or false complaint against another person, you may also be subject to appropriate disciplinary action, which may include a ban from attending events for a set of time or termination of membership or ending your relationship with DWCV.

Appeals

Where either the complainant or the respondent is dissatisfied with the final outcome of an investigation, they can appeal the decision. The appeal should be in writing and received by the Club Secretary within 14 days of the decision being communicated to them.