



DLRA Policy
MEMBER PROTECTION POLICY



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Preface the DLRA provides an environment which protects the health, safety and well-being of all Relevant Persons.

The establishment of the Policy provides a code of behaviour which forms the basis of appropriate and ethical conduct so that Relevant Persons participate in a safe environment. The Policy also provides a mechanism for Complaint resolution and guidelines for Child protection, definitions of acceptable behaviour and a Code of Conduct.

The President of the DLRA is committed to ensuring that everyone associated with the organisation complies with the Policy.

Norman Bradshaw
President



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PART A - GENERAL

Definitions

Terms used in this Policy have the meanings given below unless stated otherwise in this Policy:

Abuse is a form of Harassment and includes physical abuse, emotional abuse, sexual abuse, neglect, and abuse of power. Examples of abusive behaviour include bullying, humiliation, verbal abuse and insults.

DLRA Event means a motor racing event which is run under a DLRA issued permit.

Child and **Children** means a person or persons who are under the age of 18 years.

Child Abuse is conduct which puts children at risk of harm (usually by adults, sometimes by other Children) and often by those they know and trust. It can take many forms. Children may be harmed by both verbal and physical actions and by people failing to provide them with basic care. Child Abuse may include:

- Physical Abuse by hurting a Child or a Child's development (e.g. hitting, shaking or other physical harm; giving a Child alcohol or drugs; or training that exceeds the Child's development or maturity).
- Sexual Abuse by adults or other Children where a Child is encouraged or forced to watch or engage in sexual activity or where a Child is subject to any other inappropriate conduct of a sexual nature (e.g. sexual intercourse, masturbation, oral sex, pornography including Child pornography or inappropriate touching or conversations).
- Emotional Abuse by ill-treating a Child (e.g. humiliation, taunting, sarcasm, yelling, negative criticism, name calling, ignoring or placing unrealistic expectations on a Child).
- Neglect (e.g. failing to give food, water, shelter or clothing or to protect a Child from danger or foreseeable risk of harm or injury).

Code of Conduct means the code of conduct referred to under the heading 'Code of Conduct' in this part A of the Policy.

Complaint means a complaint concerning a breach of this Policy made under the "Complaints Procedures" part of this Policy. Complainant means a Relevant Person who is entitled to make a Complaint.

Discrimination means treating or proposing to treat someone less favourably because of a particular characteristic in the same or similar circumstances in certain areas of public life (**Direct Discrimination**), or imposing or intending to impose an unreasonable requirement, condition or practice that is the same for everyone, but which has an unequal or disproportionate effect on individuals or groups with particular characteristics (**Indirect Discrimination**). The characteristics covered by Discrimination law generally across Australia are:

- age;
- disability;
- family/carer responsibilities;



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- marital status;
- parental/carer status;
- physical features (Victoria only);
- irrelevant medical record;
- irrelevant criminal record;
- political belief/activity;
- pregnancy and breastfeeding;
- race;
- religious belief/activity;
- sex or gender;
- sexual orientation;
- social origin;
- trade union membership or activity; and
- transgender orientation.

This definition does not exclude the additional characteristics of Discrimination provided for in any Commonwealth, State or Territory legislation.

Discrimination is not permitted in the areas of employment (including volunteer and unpaid employment); the provision of goods and services; the selection or otherwise of any person for competition or a team (domestic or international); the entry or otherwise of any participant or other person to any competition; obtaining or retaining membership of an organisation (including the rights and privileges of membership).

Requesting, assisting, instructing, inducing or encouraging another person to engage in discrimination may also be discriminatory conduct.

Event Organiser means any person or body which organises a DLRA Event.

Harassment is any type of behaviour that the other person does not want and does not return and that is offensive, abusive, belittling or threatening. The behaviour is unwelcome and of a type that a reasonable person would recognise as being unwelcome and likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful Harassment includes the above but is either sexual or targets a person because of their race, sex, pregnancy, marital status, sexuality or other characteristic (see characteristic list under Discrimination).

Whether or not the behaviour is Harassment is determined from the point of view of the person receiving the Harassment. The basic rule is if someone else finds it harassing then it could be Harassment. Harassment may be a single incident or repeated. It may be explicit or implicit, verbal or non-verbal.

Public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify people on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability (see also Vilification.)



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Investigatory Tribunal means a DLRA investigatory tribunal formed by the DLRA to investigate or hear a formal Complaint under part C of this Policy.

Mediator means a person appointed by the DLRA to mediate a Complaint made under this Policy.

Member Protection is a term used by the Australian sport industry to describe the practices and procedures that protect Relevant Persons. Member protection involves:

- protection of those who are involved in sport activities from Harassment, Abuse, Discrimination, work place bullying and other forms of inappropriate behaviour;
- adoption of appropriate measures to ensure the right people are involved in an organisation, particularly in relation to those involved with Children; and
- provision of education.

MPIO means a 'Member Protection Information Officer', being a person appointed by the DLRA who has been trained to be the first point of contact for a person reporting a Complaint under, or a breach of, this Policy. An MPIO provides confidential information and moral support to the person with the concern or who is alleging a breach of this Policy.

Natural Justice incorporates the following principles which are to apply as is reasonable in the circumstances given the nature and severity of the complaint:

- a person who is the subject of a Complaint must be reasonably informed of the allegations against them;
- a person who is the subject of a Complaint must be given a reasonable opportunity to respond to the allegations and raise any matters in their own defence;
- all parties need to be given a reasonable opportunity to be heard (in person or in writing depending on the nature of the Complaint) and all relevant submissions considered;
- irrelevant matters should not be taken into account;
- no person may judge their own case;
- the decision maker/s must be unbiased, fair and just; and
- the penalties imposed must be reasonable in the circumstances.

Police Check means a national criminal history record check conducted as a prudent pre-employment or pre-engagement background check on a person.

Policy means this 'DLRA Member Protection Policy.

Relevant Person means any of the following:

- members of DLRA boards, commissions, councils, committees, working groups and panels;
- employees, individual contractors and volunteers of the DLRA;
- competitors;
- officials;
- Event Organisers;
- Affiliated Clubs;
- organisers and promoters of a DLRA Event; and



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- any other person including spectators, parents/guardians and sponsors, who or which agrees in writing (whether on a ticket, entry form, by operation of regulations or otherwise) to be bound by the DLRA rules, policies and procedures.

Respondent means a Relevant Person against who a Complaint is made.

Sexual Harassment means unwanted, unwelcome or uninvited behaviour of a sexual nature which makes a person feel humiliated, intimidated or offended. Sexual Harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment.

Sexual Harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not Sexual Harassment.

Sexual Offence means a criminal offence involving sexual activity or acts of indecency including but not limited to (due to differences under State/Territory legislation):

- rape;
- indecent assault;
- sexual assault;
- assault with intent to have sexual intercourse;
- incest;
- sexual penetration of a Child under the age of 16;
- indecent act with a Child under the age of 16;
- sexual relationship with a Child under the age of 16;
- sexual offences against people with impaired mental functioning;
- abduction and detention;
- procuring sexual penetration by threats or fraud;
- procuring sexual penetration of a Child under the age of 16;
- bestiality;
- soliciting acts of sexual penetration or indecent acts;
- promoting or engaging in acts of Child prostitution;
- obtaining benefits from Child prostitution;
- possession of Child pornography; and
- publishing Child pornography or indecent articles.

Transgender is a general term applied to individuals and behaviours that differ from the gender role commonly, but not always, assigned at birth. It does not imply any specific form of sexual orientation.

Victimisation means subjecting a person or threatening to subject a person to any detriment or unfair treatment because that person has or intends to pursue their rights to make a Complaint under government legislation (e.g. anti-discrimination) or under this Policy, or for supporting another person to make a Complaint.



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Vilification involves a person or organisation doing public acts to incite hatred towards, serious contempt for, or severe ridicule of a person or group of persons having any of the attributes or characteristics within the meaning of Discrimination. Public acts that may amount to Vilification include any form of communication to the public and any conduct observable by the public.

Workplace Bullying is the repeated less favourable treatment of a person by another or others in the workplace, which may be considered unreasonable and inappropriate workplace practice. It includes behaviour that intimidates, offends, degrades or humiliates a worker.

Bullying behaviours range from the very obvious such as physical and verbal assault and Abuse through to the very subtle such as continually undermining another person. The following lists some examples of the types of behaviour that might constitute bullying and intimidation but is by no means an exhaustive list: :

- physical or verbal assault;
- belittling opinions or constant criticism; Member Protection Policy PART A
- yelling or screaming at, or the use of offensive language;
- derogatory, demeaning or inappropriate comments or jokes about a person's appearance, lifestyle and background;
- insults;
- isolating workers from normal work interaction, training and development or career opportunities;
- overwork, unnecessary pressure and unreasonable deadlines;
- tampering with someone's personal effects, work materials or equipment;
- an unacceptably aggressive style from a superior;
- undermining work performance by deliberately withholding work-related information, access, support or resources or supplying incorrect information;
- underutilisation, creating a feeling of uselessness;
- unexplained job changes, meaningless tasks, tasks beyond a person's skills and training, and failure to give credit where credit is due;
- over detailed supervision and unwarranted checking of performance; and
- unreasonable "administrative sanctions" such as undue delay in processing applications for training, leave or expenses.

WWCC means a 'working with Children check', as may be required by each state and territory in Australia.

Scope

The Policy applies to all Relevant Persons whether they are in a paid or unpaid/voluntary capacity.

This Policy will continue to apply to a Relevant Person even after they have stopped their association or employment with the DLRA if disciplinary action, relating to an allegation of Child Abuse against that person during the period of their association or employment, has commenced.

Notwithstanding the above, the following types of Complaints are not within the scope of this Policy:

- complaints which are in relation to, or encompass, matters which do not have a reasonable connection to a DLRA Event;



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- complaints which are in relation to matters which are primarily commercial in nature;
- complaints in relation to matters within or in relation to an Associated Club or other organisation and which do not relate to a DLRA Event;
- complaints which are brought by any of the following Relevant Persons in relation to the performance of their role for the DLRA:
 - members of DLRA boards, commissions, councils, committees, working groups and panels; and
 - employees, contractors and volunteers of the DLRA; and
- complaints which are, in the DLRA's opinion, frivolous, vexatious, made for improper purposes, arising out of a conflict of personalities or not of material significance or otherwise made in breach of this Policy (or which have been made by Relevant Persons who have significant prior history of making any such complaints.)

Notwithstanding the above, the DLRA may in its sole discretion:

- investigate and take action in relation to any matter covered by this Policy; and
- agree to accept and hear a Complaint even where it is stated above to be outside the scope of this Policy.

Policy Objective

This Policy aims to ensure the DLRA's core values, good reputation and positive behaviours and attitudes are maintained. It assists the DLRA in ensuring that every person involved in motor sport is treated with respect and dignity, and is safe and protected from Abuse. The Policy also ensures that Relevant Persons are aware of their legal and ethical rights and responsibilities.

The Policy attachments provide the procedures that support our commitment to eliminating Discrimination, Harassment, Child Abuse, bullying and other forms of inappropriate behaviour from motor sport. As part of this commitment, the DLRA will take reasonable steps to investigate and, where appropriate, take disciplinary action against any Relevant Person bound by the Policy if they breach it.

The Policy replaces any previous versions from the date it is adopted by the Board of the DLRA and will operate until replaced. This Policy and/or its attachments may be amended from time to time by resolution of the board of the DLRA. Copies of the Policy and its attachments can be obtained from the DLRA website (www.dlra.org.au).

Core Values

The DLRA is the official organisation for salt lakes racing in Australia.

The DLRA is responsible to:

- Relevant Persons for the establishment and maintenance of a regulatory framework for the conduct of DLRA Events; and
- the general public in Australia for motor sport to be conducted in a manner which will not bring unnecessary danger to the community.



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The DLRA develops and maintains systems for safety, technical, judicial, accreditation, training, compliance and other intellectual property necessary for the effective management and development of land speed racing.

Code of Conduct

The DLRA requires every Relevant Person to comply with the following code of conduct at (and in relation to) each DLRA Event:

1. Be ethical, fair, impartial and honest in all their dealings with other people and the DLRA.
2. Treat all persons with respect and courtesy and have proper regard for their dignity, rights and obligations.
3. Always place safety and the welfare of Children above other considerations.
4. Be positive role models to others and not to bring motor sport into disrepute.
5. Comply with the DLRA rules, policies and procedures (including this Policy.)
6. Comply with all relevant Australian laws (Federal and State), including anti-discrimination and Child protection laws.
7. Be responsible and accountable for their conduct.

Organisational Responsibilities

1. ensure that they have a member protection policy in place
2. publish, distribute and otherwise promote this Policy and the consequences for breaching them;
3. promote appropriate standards of conduct at all times;
4. promptly deal with any breaches of or Complaints made in an impartial, sensitive, fair, timely and confidential manner;
5. apply the Policy consistently without fear or favour;
6. recognise and enforce any penalty imposed under the Policy;
7. ensure that a copy of the Policy is available or accessible to the persons to whom the Policy applies;
8. appoint or have access to appropriately trained people to receive and handle Complaints and display the names and contact details in a way that is readily accessible; and
9. monitor their compliance with the Policy

Individual Responsibilities

Relevant Persons must:

1. make themselves aware of this Policy and complying with the standards of conduct outlined in this Policy;
2. consent to a WWCC or national Police Check where required if the individual holds or applies for a role that involves direct and unsupervised contact with a Child;
3. co-operate in providing a Discrimination, Child Abuse and Harassment free motor sport environment;
4. act in a manner which is reasonable, fair, cooperative and which promotes the avoidance and settlement of disputes and grievances with Relevant Persons;
5. not making frivolous or vexatious complaints or otherwise using this Policy for ulterior purposes;



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6. understanding the possible consequences of breaching this Policy; and
7. comply with the requirements of this Policy

Policy Obligations

Unless otherwise stated, Relevant Persons must comply with the following:

1. Child Protection

The DLRA is committed to the safety and well-being of all Children who participate in DLRA Events or access DLRA's services. The DLRA supports the rights of the Child and will act to ensure that a Child-safe environment is maintained.

The DLRA acknowledges that Relevant Persons provide a valuable contribution to the positive experiences of Children involved in our sport and the DLRA encourages their active participation in providing a safe, fair and inclusive environment for all participants.

Further information in relation to creating a Child safe environment can be found in part B of this Policy.

The DLRA general requirements in relation to Child safety are stated below.

1.1 Identify and analyse risk of harm

The DLRA should develop and implement a risk management strategy as further detailed in part B of this Policy. This includes a review of their existing Child protection practices, to determine how Child-safe they are and to identify any additional steps they can take to minimise and prevent the risk of harm to Children because of the actions of an employee, volunteer or another person.

1.2 Develop codes of behaviour

All Relevant Persons must comply with the Code of Conduct and the Child safe guidelines stated in part B of this Policy.

In addition, the DLRA should promote a code of behaviour that sets out the conduct they expect respectively of Relevant Persons and members when they deal and interact with Children involved in their activities. Each Affiliated Club should also implement a code of behaviour to promote appropriate conduct between Children.

Further guidance on creating a code of behaviour can be found in part B of this Policy.

1.3 Choose suitable employees and volunteers

The DLRA should take all reasonable steps to ensure that they engage suitable and appropriate people to work with Children, especially those in positions that involve regular unsupervised contact with Children. This may include using a range of screening measures.

The DLRA should take steps to ensure that WWCCs are conducted for respectively Relevant Persons and members who work with Children, where an assessment is required by law.



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Further information in relation to the conduct of WWCCs can be found in part B of this Policy. If a criminal history report is obtained as part of their screening process, DLRA and Affiliated Clubs should handle this information confidentially and in accordance with the relevant legal requirements and part C of this Policy.

1.4 Support, train, supervise and enhance performance

The DLRA should ensure respectively that Relevant Persons and members who work with Children have ongoing supervision, support and training.

The DLRA's goal is develop their skills and capacity and to enhance their performance so we can maintain a child-safe environment.

1.5 Empower and promote the participation of children

The DLRA should encourage Children to be involved in developing and maintaining a Child-safe environment.

1.6 Report and respond appropriately to suspected abuse and neglect

The DLRA should ensure respectively that Related Persons and members are able to identify and respond appropriately to Children at risk of harm and that they are aware of their responsibilities under state laws to make a report if they suspect on reasonable grounds that a Child has been, or is being, abused or neglected. Resources for reporting are contained in part E of this Policy.

Further, if any person believes that another person or organisation bound by this Policy is acting inappropriately towards a child, or is in breach of this Policy, he or she should contact a MPIO.

Anyone who witnesses or reasonably suspects that Child Abuse has been, or is occurring at any DLRA Event, must report it immediately to the police and/or the relevant government agency and an MPIO.

If a Relevant Person suspects that Child Abuse is occurring by someone in any other circumstances other than a DLRA Event, they are advised to contact the Police and/or the relevant government agency for youth, family and community services in their State/Territory.

A person will not be victimised by the DLRA for reporting an allegation of Child Abuse and the privacy of all persons concerned will be respected.

2. Taking Images of Children

Images of Children can be used inappropriately or illegally. Relevant Persons must, wherever possible, obtain permission from a Child's parent/guardian before taking an image of a Child that is not their own. They should also make sure the parent/guardian understands how the image will be used.



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To respect people's privacy, Relevant Persons should not use camera phones, videos and cameras inside changing areas, showers and toilets.

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

Relevant Persons should only use images of Children that are relevant to DLRA Events and they should ensure that they are suitably clothed in a manner that promotes Member Protection Policy PART A participation in the sport.

Relevant Persons should seek permission from the parents/guardians of the Children before using the images.

3. Anti-Discrimination and Harassment Policy

The DLRA aims to promote an environment where all those involved in DLRA Events are treated with dignity and respect, and without Harassment or Discrimination.

The DLRA recognises that all those involved in DLRA Events cannot enjoy themselves, perform to their best, or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their sex, marital status, pregnancy, parental status, race, age, disability, sexual orientation, Transgender orientation, physical features, religion, political belief and/or industrial activity.

The DLRA prohibits all forms of Harassment and Discrimination in DLRA Events, not only because it is against the law, but because it is extremely distressing, offensive, humiliating and/or threatening and creates an uncomfortable and unpleasant environment.

Descriptions of some of the types of behaviour which could be regarded as Harassment or Discrimination are provided in the "Definitions" part of this Policy.

Relevant Persons should note that due to the fundamental nature of motor sport, some activities may not be available to those who suffer from certain Disabilities. The DLRA will take reasonable steps to try to accommodate those who suffer from certain Disabilities in DLRA Events.

If any Relevant Person feels they are being Harassed or Discriminated against by a Relevant Person, please refer to the complaints procedure outlined in Part C of the Policy. This will explain what to do about the behaviour and how DLRA will deal with the problem.

4. Workplace Bullying

The DLRA is committed to providing a healthy and safe work and sporting environment that is free from bullying.



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Bullying is an unacceptable form of behaviour which will not be tolerated in the workplace under any circumstances. The DLRA expects Relevant Persons to behave in a professional manner and to treat each other with dignity and respect when they are at work.

We encourage anyone who experiences bullying to report it. Any reports of bullying will be treated seriously and investigated promptly, confidentially and impartially. Workplace bullying is governed by the Occupational Health and Safety Legislation in each State.

5. Sexual relationships

Consensual sexual relationships between those in positions of authority (such as coaches, team managers, etc) and Relevant Persons they coach or govern are not permitted as they can have harmful effects on the Relevant Person involved, on other participants and on motor sport's public image.

These relationships can be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the person in a Member Protection Policy PART A position of authority and the Relevant Person they coach or govern. For this reason, they are not permitted by the DLRA.

If a sexual relationship exists between a person in a position of authority and a Relevant Person they coach or govern, the DLRA will consider whether disciplinary action is necessary. Factors that will be taken into account by DLRA include the relative age and maturity of the Relevant Persons involved, the financial or emotional dependence of the Relevant Persons on each other and the likelihood of the relationship having an adverse impact on the Relevant Persons (including other Relevant Persons.)

If the DLRA determines that the sexual relationship is inappropriate, action may be taken to stop the governing or coaching relationship in motor sport. This could include, to the extent possible, a transfer, a request for resignation or dismissal from duties.

It is the responsibility of Relevant Persons who coach or govern another to discourage the approach and to explain why such a relationship is not appropriate.

The Relevant Person may wish to seek advice or support from DLRA if they feel harassed. The DLRA's complaints procedure is outlined in Part C of this Policy.

6. Pregnancy

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in DLRA Events should be removed to the extent reasonably practicable. The DLRA will not tolerate any unlawful Discrimination or Harassment against pregnant women.

The DLRA should take reasonable care to ensure the safety, health and well-being of pregnant women and their unborn children. Pregnant women should be aware that motor racing can be



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dangerous and that their own health and well-being, and that of their unborn children, are of utmost importance in their decision-making about the extent they choose to participate in DLRA Events.

The DLRA encourages all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy in land speed racing and ensure that they make informed decisions about their participation in DLRA Events. The DLRA will not require women to undertake a pregnancy test.

If a pregnant woman feels she has been harassed or discriminated against by a Relevant Person, she may make a complaint (refer to Part C of this Policy.)

7. Gender identity

The DLRA is committed to providing a safe, fair and inclusive environment at DLRA Events where people of all backgrounds can contribute and participate. People who identify as Transgender or transsexual should be treated fairly and with dignity and respect at all times. This includes acting with sensitivity when a person is undergoing gender transition.

The DLRA will not tolerate any unlawful discrimination or harassment of a person who identifies as Transgender or transsexual or who is thought to be Transgender or transsexual. If a Transgender or transsexual person feels he or she has been Harassed or Discriminated against by a Relevant Person, he or she may make a complaint (refer to Part C of this Policy.)

The DLRA recognises that excluding Transgender and transsexual people from participating in DLRA Events has significant implications for their health, well-being and involvement in community life. In general, DLRA will support their participation in DLRA Events on the basis of the gender with which they identify.

The DLRA also recognise that there is debate over whether a male-to-female Transgender person obtains any physical advantage over other female participants. This debate is reflected in the divergent discrimination laws across the country.

Drug testing procedures and prohibitions also apply to people who identify as Transgender. A person receiving treatment involving a Prohibited Substance or Method, as described on the World Anti-Doping Agency's Prohibited List, should apply for a standard Therapeutic Use Exemption or a medical exemption under the DLRA illicit drug testing program.

8. Responsible service and consumption of alcohol

The DLRA is committed to taking steps to ensure that DLRA Events are conducted in a manner that promotes the responsible service and consumption of alcohol. The DLRA follow strict guidelines regarding the service and consumption of alcohol.

In general, the DLRA policy is that:

- alcohol should not be available or consumed at DLRA Events which predominantly involve Children;



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- alcohol-free social events should be provided by the DLRA where appropriate for young people and families;
- food and low-alcohol and non-alcoholic drinks should be made available at DLRA Events where alcohol is served;
- an appropriate person should be present at DLRA Events where alcohol is served to ensure appropriate practices are followed; and
- safe transport options should be considered and promoted as part of any DLRA Event where alcohol is served.

9. Smoke-free environment

The DLRA recommends that the following policies be followed at all DLRA Events:

- No smoking should occur at or near sporting events involving Children.
- Social events should be predominantly smoke-free, with smoking permitted at designated outdoor smoking areas.
- Relevant Persons should refrain from smoking and remain smoke-free while they are involved in an official capacity at DLRA Events.

10. Cyber-Bullying and Social Media

The DLRA regards bullying and Harassment in all forms as unacceptable in DLRA Events. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

The DLRA's requirements in relation to the use of social media and cyber bullying are further outlined in the DLRA's social media policy, a copy of which is available on the DLRA website. A breach of the DLRA's social media policy will be considered to be a breach of this Policy.

Complaints Procedures

1. Complaints

The DLRA aims to provide an easy to use, confidential and trustworthy procedure for Complaints based on the principles of Natural Justice. A Complainant may report a Complaint about a Relevant Person if they reasonably believe that the Relevant Person has breached this Policy. A Complaint should be reported to the MPIO.

A Complaint may be dealt with informally or formally. The Complainant decides whether the Complaint will be dealt with informally or formally unless the DLRA considers that the Complaint falls outside the parameters of the Policy. Where the Complaint falls outside the scope of this Policy, the DLRA may assist with the Complaint but is not bound to do so.

All Complaints will be dealt with within a reasonable period of time, seriously, sensitively and confidentially. The DLRA's Complaint procedures are outlined in Part C of the Policy.



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Individuals and organisations may also seek to have their Complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation. The DLRA may decide to suspend any Complaint made under this Policy where the matter is also being considered by an external agency.

2. Vexatious Complaints and Victimisation

The DLRA aims to ensure that the complaints procedure under this Policy has integrity and is free of unfair repercussions or Victimisation.

Complainants must not knowingly make an untrue Complaint or act in a manner which is vexatious, spurious, for improper purposes or malicious. Where the DLRA considers that a Complainant has acted in any such manner, the Complaint may be dismissed and disciplinary action may be taken against the Complainant such as suspension, expulsion or other disciplinary action.

The DLRA aims to make sure that people involved in a Complaint are not victimised by anyone for coming forward with a Complaint or for helping to resolve a Complaint. Disciplinary measures may be imposed on anyone who victimises another person for making a Complaint.

3. Mediation

The DLRA aims to resolve complaints with the minimum of formality wherever possible. In many cases, Complaints can be resolved by agreement between the people involved with no need for disciplinary action or for a formal Complaint to be made under this Policy.

Mediation is a confidential process that allows those involved in a Complaint to discuss the issues or incident in question and to come up with mutually agreed solutions. The Complainant and the Respondent may also seek the assistance of a Mediator or another neutral third party at any stage. Unless permitted by the DLRA in writing, legal representatives are not able to negotiate on behalf of the Complainant and/or Respondent or attend the mediation.

Mediation may occur either before or after an investigation of a Complaint. If a Complainant wishes to try and resolve the Complaint with the assistance of a Mediator, the MPIO will, where he/she determines it to be appropriate and in consultation with the Complainant, arrange for a Mediator to mediate the Complaint.

More information on the mediation process is outlined in part C of this Policy.

4. Tribunals

An Investigatory Tribunal may be formed to hear a formal Complaint that has been referred by the President or MPIO, or an alleged breach of this Policy. The decision to form an Investigatory Tribunal is at the sole discretion of the DLRA and will generally only be formed by the DLRA where there is a serious matter or procedural issue to consider or overcome. Relevant Persons will recognise, abide by and enforce any decision made, and form of discipline imposed, by an Investigatory Tribunal under the Policy. More information on Investigatory Tribunals is outlined in part C of this Policy.



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Forms of Discipline

If a Relevant Person breaches this Policy, one or more forms of discipline may be imposed. These may include but not be limited to a direction to make a verbal or written apology, paying a fine, being suspended or excluded or having a person's appointment or employment terminated. The form of discipline will depend upon a range of factors, including the nature and seriousness of the breach, contrition and relevant prior behaviour of the Relevant Person.

Other Links and References

The following attachments form part of this Policy:

- Part B: DLRA Child Protection Requirements.
- Part C: Complaints Procedure.
- Part D: Record template forms.
- Part E: Frequently Asked Questions.