



Australian Stock Horse  
SOCIETY

**AUSTRALIAN STOCK HORSE SOCIETY**

**MEMBER PROTECTION POLICY**

**VERSION - 1**

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# MEMBER PROTECTION POLICY

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## 1. Introduction

The Australian Stock Horse Society wants the Australian Stock Horse to have the highest profile of any breed of horse in Australia with worldwide recognition and maintain the heritage; and to promote the bloodlines and high performance of the Australian Stock Horse among equestrian activities and the general public.

## 2. Purpose of Our Policy

The main objective of the Society's Member Protection Policy ("policy") is to maintain responsible behaviour and the making of informed decisions by members and other participants in this Society. It outlines our commitment to a person's right to be treated with respect and dignity, and to be safe and protected from discrimination, harassment and abuse. Our policy informs everyone involved in our Society of his or her legal and ethical rights and responsibilities and the standards of behaviour that are expected of them. It also covers the care and protection of children participating in our club's activities.

## 3. Who Our Policy Applies To

This policy applies to everyone involved in the activities of our Society whether they are in a paid or unpaid/voluntary capacity and including:

- committee members and officials;
- coaches and assistant coaches and other personnel participating in events and activities, including camps and training sessions;
- support personnel,
- officials;
- members, including any life members;
- parents;
- spectators;

## 4. Extent of Our Policy

Our policy covers all matters directly and indirectly related to the Society and its activities. In particular, the policy governs unfair decisions and actions, breaches of our code of behaviour and behaviour that occurs at events, in meetings, at social events organised or sanctioned by the Branch/Society. It also covers private behaviour where that behaviour brings our Society into disrepute or there is suspicion of harm towards a child or young person.

## 5. Branch Responsibilities

We will:

- adopt, implement and comply with this policy;
- ensure that this policy is enforceable;
- publish, distribute and promote this policy and the consequences of any breaches of this policy;;
- promote and model appropriate standards of behaviour at all times;
- deal with any complaints made under this policy in an appropriate manner;
- deal with any breaches of this policy in an appropriate manner;
- recognise and enforce any penalty imposed under this policy;
- ensure that a copy of this policy is available or accessible to all people and branches to whom this policy applies;
- seek advice from and refer serious issues to our Head Office.

## 6. Individual Responsibilities

Everyone associated with our Society must:

- make themselves aware of the contents of this policy;
- comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- consent to the screening requirements set out in this policy, and any state or territory Working with Children checks if the person holds or applies for a role that involves regular unsupervised contact with a child or young person under the age of 18, or where otherwise required by law;
- treat other people with respect;
- always place the safety and welfare of children above other considerations;
- be responsible and accountable for their behaviour; and
- follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible child abuse, discrimination, harassment, bullying or other inappropriate behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this policy.

## 7. Protection of Children

### 7.1 Child Protection

The Society is committed to the safety and wellbeing of children and young people who participate in our Society's activities or use our services. We support the rights of the child and will act at all times to ensure that a child safe environment is maintained. We also support the rights and wellbeing of our staff and volunteers and encourage their active participation in building and maintaining a secure and safe environment for all participants.

The Society acknowledges the valuable contribution made by our staff, members and volunteers and we encourage their active participating in providing a safe, fair and inclusive environment for all participants.

#### 7.1.1: Identifying and Analysing Risks of Harm

The Society will develop and implement a risk management strategy, which includes a review of our existing child protection practices, to determine how child-safe our organisation is and to identify any additional steps we can take to minimise and prevent the risk of harm to children because of the action of a member, employee, volunteer or another person.

#### 7.1.2: Developing Codes of Conduct for Adults and Children

We will develop and promote a code of conduct that specifies standards of conduct and care we expect of adults when dealing and interacting with children, particularly those in the our care. We will also implement a code of conduct to promote appropriate behaviour between children.

The codes will clearly describe professional boundaries, ethical behaviour and unacceptable behaviour.

#### 7.1.3: Choosing Suitable Employees and Volunteers

The Society will ensure that the organisation takes all reasonable steps to ensure that it engages the most suitable and appropriate people to work with children, especially those in positions that involve regular unsupervised contact with children .This may be achieved using a range of screening measures. Such measures will aim to minimise the likelihood of engaging (or retaining) people who are unsuitable to work with children.

The Society will ensure that Working with Children Checks and criminal history assessments are conducted for employees and volunteers working with children, where an assessment is required by law. If a criminal history report is obtained as part of the

screening process, the Society will ensure that the criminal history information is dealt with confidentially and in accordance with relevant legal requirements.

- Directors
- ASHS Staff
- Branch Facilitators
- Professional / Endorsed Coaches
- Child Welfare Officers - A member of each Branch or Management Council who is designated by the Branch or Management Council as their Child Welfare Officer.
- ASHS National Youth Exchange:
  - Host Family – all members of the Host Family for the programme.
  - Any persons, of 18 years or over, who reside with the Host Family at any time during the exchange,
  - Youth Ambassadors who are 18 years or over, placed with a Host Family with persons of under 18 years of age residing with the Host Family.
- At Youth only Events ie. Youth Camps or clinics, Youth Shows
  - Judges
  - Stewards
  - Committees.
- Any member who regularly attends youth camps or shows in the capacity of a supervisor of children ie, group leaders, assistant Branch Facilitators. Regularly can be defined as 3 or more times in a twelve month period.

Categories of Officials who do NOT require WWCC:

- Judges
- Stewards
- Parents who are supervising their child along with other children in a group activity
- Other members of Committees of Management Councils or Branches
- Other Members not directly involved with child related activities

#### **7.1.4: Empower and Promote the Participation of Children In Decision-Making And Service Development**

The Society will promote the involvement and participation of children and young people in developing and maintaining a child-safe environment in our Society.

#### **7.1.5: Report and Respond Appropriately to Suspected Abuse and Neglect**

The Society will ensure that employees and volunteers 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 ground that a child has been, or is being, abused or neglected.

In addition to any legal obligations, 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 they may make an internal complaint.

Please refer to our complaints procedure in Section 16.4 of the constitution. Any person who believes a child is in immediate danger or in a life threatening situation, should contact the police immediately.

## **7.2 Supervision**

Children under the age of [18] must be supervised at all times by a responsible adult. We endeavour to provide an appropriate level of supervision at all times. If a member finds a child under the age of [18] is unsupervised, they should assume responsibility for the child's safety until the child's parent/guardian or supervisor is located.

### 7.3 Taking Images of Children

Images of children can be used inappropriately or illegally. We require that members, wherever possible, obtain permission from a child's parent or guardian before taking an image of a child that is not their own. We will also make sure that the parent or guardian understands how the image will be used.

We will only use images of children that are relevant to our Society's activities and we will ensure that they are suitably clothed in a manner that promotes our Society. We will seek permission from a child's parent or guardian before using their images.

## 8. Discrimination, Harassment and Bullying

Our Society is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination, harassment and bullying.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against, harassed or bullied.

### 8.1 Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination laws.

Discrimination includes both direct and indirect discrimination:

- **Direct discrimination** occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourably because of that personal characteristic.
- **Indirect discrimination** occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purpose of determining discrimination, the offender's awareness and motive are irrelevant.

### 8.2 Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by State or Federal anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment involves unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of all the personal characteristics that apply throughout Australia:

- gender;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- national extraction or social origin;
- marital status, relationship status, identity of spouse or domestic partner;
- pregnancy, potential pregnancy, breastfeeding;
- family or carer responsibilities, status as a parent or carer;
- age;
- religion, religious beliefs or activities;

- political beliefs or activities;
- lawful sexual activity;
- sexual orientation and gender identity;
- profession, trade, occupation or calling;
- irrelevant criminal record, spent convictions;
- irrelevant medical record;
- member of association or organisation of employees or employers, industrial activity, trade union activity;
- physical features;
- disability, mental or physical impairment;
- defence service; and
- personal association with someone who has, or is assumed to have, any of these personal characteristics.

Legislation also prohibits:

- racial, religious, homosexual, transgender and HIV/AIDS vilification; and
- victimisation resulting from a complaint.

### **8.3 Bullying**

The Society is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable at our Society.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or group.

Whilst generally characterised by repeated behaviours, one off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;
- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. The Society will not tolerate abusive, discriminatory, intimidating or offensive statements being made online.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint. (Refer to Item 10 of this policy)

## **9. The Society is welcoming and we will seek to include members from all areas of our community.**

The following are examples of some of our inclusive practices.

### **9.1 People with a disability**

The Society will not discriminate against any person because they have a disability. Where it is necessary, we will make reasonable adjustments (e.g. modifications to equipment and rules) to enable participation.

## **9.2 People from diverse cultures**

We will support, respect and encourage people from diverse cultures and religions to participate in our Society and where possible we will accommodate requests for flexibility.

## **9.3 Sexual & Gender Identity**

All people, regardless of their sexuality or gender identity, are welcome at our Society. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.

## **10. Responding to Complaints**

### **10.1 Complaints**

Our Society takes all complaints seriously. Our Society will handle complaints based on the principles of procedural fairness, and ensure:

- all complaints will be taken seriously;
- the person making the complaint (complainant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- irrelevant matters will not be taken into account;
- decisions will be unbiased; and
- any penalties imposed will be reasonable.

More serious complaints may be escalated to our Head Office.

If the complaint relates to suspected child abuse, sexual assault or other criminal activity, then our Society may need to report the behaviour to the police and/or relevant government authority.

### **10.2 Resolution of Disputes**

10.2.1 A dispute between a member and another member (in their capacity as members) of the Branch or a dispute between a member or members and the Branch, are to be referred to community justice centre, for mediation in accordance with the Community Justice Centres Act 1983.

10.2.2 At least 7 days before the mediation session is to commence, the parties are to exchange statements if the issues that are in dispute between them and supply copies to the mediator.

10.2.3 If the dispute is not resolved by mediation within 3 months of the referral to a community justice centre, this dispute is to be referred to arbitration.

10.2.4 The Commercial Arbitration Act 2010 applies to any such dispute referred to arbitration.

### **10.3 Disciplining of Members**

10.3.1 A complaint may be made to the committee by any person that is a member of the Branch:-

- has refused or neglected to comply with a provision or provisions of these rules or
- has wilfully acted in a manner prejudicial to the interest of the Branch.

10.3.2 The committee may refuse to deal with a complaint if it considers the complaint to be trivial or vexatious in nature.

10.3.3 If the committee decides to deal with the complaint, the committee:

- must cause notice of the complaint to be served on the member concerned:
- must give the member at least 14 days from the time the notice is served within which to make submissions to the committee in connection with the complaint;



- and must take into consideration any submissions made by the member in connection with the complaint.

10.3.4 The committee may, by resolution, expel the member from the Branch if, after considering the complaint, and any submissions made in the connection with the complaint, it is satisfied that the facts alleged in the complaint have been proved and the expulsion or suspension is warranted in the circumstances.

10.3.5 If the committee expels or suspends a member from the Branch, the Secretary must, within 7 days after the action is taken, cause written notice to be given to the member and the Society of the action taken, of the reason given by the committee for having taken the action and of the member's right of appeal. (Clause 10.4)

10.3.6 The expulsion or suspension does not take effect:

- until the expiration of the period within which the member is entitled to appeal against the resolution concerned; or
- if within that period the member exercised the right of appeal, unless and until the Branch confirms resolution under this constitution, whichever is the later.

#### **10.4 Right of Appeal of Disciplined Member**

10.4.1 A member may appeal to the Branch in a general meeting against a resolution of the committee under Clause 10.3 within 7 days after the notice of the resolution is served on the member, by lodging with the secretary a notice to that effect.

10.4.2 The notice may, but need not, be accompanied by a statement of the grounds on which the member intends to rely for the purpose of the appeal.

10.4.3 On receipt of a notice from a member under subclause (10.4.1) the Secretary must notify the committee which is to convene a general meeting of the Branch to be held within 28 days after the date on which the Secretary received the notice.

10.4.4 At a general meeting of the Branch convened under subclause (10.4.3);

- No business other than the question of the appeal is to be transacted; and
- The committee and the member must be given the opportunity to state their respective cases orally or in writing, or both; and
- The members of the Branch present are to vote by secret ballot on the question of whether the resolution should be confirmed or revoked.

10.4.5 The appeal is to be determined by a simple majority of votes cast by the members of the Branch.