



# South Upwey Netball Club

## Wellbeing Policy & Procedure

### Purpose of this Policy

South Upwey Netball Club aims to provide a robust policy and guidelines for all associated with the club in relation to appropriate behaviours and conduct both on and off the netball court. Since August 2011, Victorian laws regarding sexual harassment and bullying extends to include volunteers and volunteering activities. As a club, we do not tolerate discrimination, bullying harassment or abuse of any kind. South Upwey Netball Club is committed to providing an inclusive and safe environment that seeks to ensure that every person involved with the activities of the Club is treated with respect and dignity. See also our [Inclusion and Diversity Policy](#) on our club website. Behaviours such as discrimination, harassment and bullying and any allegations of such behaviours will be managed in accordance with this policy and procedure.

This policy also outlines various aspects of players health and wellbeing:

- Anti Bullying and harassment
- Blood and Infectious Diseases
- Codes of conduct
- Dispute Resolution
- Emergency Procedures
- First Aid
- Injury Reporting
- Smoke Free
- Sun protection
- Use of Social Media
- Weather
- Child Safety

### Overview

It is acknowledged that all schools within our local community, to which our junior players attend, have their own policies and procedures relating to harassment and bullying (including cyberbullying). Explicit information related to bullying, help seeking and inappropriate behaviour is included in the teaching and learning programs. Players are encouraged to develop their knowledge, attitudes and skills to enable them to utilise problem solving and positive coping strategies and help seeking skills. Junior players are aware of their rights and responsibilities within the school grounds, and South Upwey Netball club believes that the opportunity to utilise and develop these skills should continue through to their netball.

For Senior players, spectators, officials, coaches, parent/guardians or members of the community involved with the sport, it is expected that behaviour aligns with:

- a positive contribution to building a culture of Child Safety
- inclusion of every person regardless of their personal attributes
- promotion of opportunities for people of all players to participate in the sport and develop to their full potential
- respect being shown towards others, the club and the broader community
- a safe and inclusive environment for all (including online)
- the elimination of violent, discriminatory, and abusive behavior



To achieve this South Upwey Netball Club has established [codes of conduct](#), which can be viewed on our website, which align with Netball Victoria's standards of behaviour of players, coaches, officials, administrators, parents/guardians and spectators which are also available to be viewed on our website.

### **Definitions:**

**Personal attribute:** a personal characteristic that is protected by State or Commonwealth anti-discrimination legislation. These include:

- age, breastfeeding, gender identity, disability, lawful sexual activity, marital/relationship status, parental or carer status, pregnancy, physical features, race, religious belief or activity, sex, sex characteristics, sexual orientation, industrial activity, employment activity, political belief or activity.

### **Inclusion:**

The term inclusion refers to what we do to ensure our diverse community is reflected in sport participants. Being inclusive means being proactive in the way we plan, lead and control the delivery of sport and recreation opportunities for everyone. Inclusion in sport means everyone in our diverse community, regardless of their attributes is afforded a range of opportunities to participate.

### **Discrimination:**

Discrimination happens when a person, or a group of people are treated less favourably than another person or group because of their background or certain personal characteristics. This is known as 'direct discrimination'. It is also 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. This is known as 'indirect discrimination'.

Discrimination can be:

- Written (such as racist views expressed in a paper or online)
- Verbal (such as making a sexist or homophobic joke)
- Actions (such as excluding someone from a project group because they have a disability)

### **Bullying:**

Bullying is when someone repeatedly uses words or actions against someone else to cause them distress.

It can include:

- verbal abuse – spoken insults or making mean comments about someone
- physical abuse – being physically harmed or threatened
- written abuse – notes, emails or posts on social media.

Bullying is not the same as conflict between people (like having a fight or argument) or disliking someone.

### **Cyberbullying:**

Cyberbullying includes, but is not limited to, the following misuses of technology:

- (a) harassing, teasing, intimidating or threatening another Registered Member (of South Upwey



Netball Club) by sending or posting inappropriate and hurtful e-mail messages, instant messages, text messages, phone messages, digital pictures or images, or web site postings, irrespective of whether the post or message could be viewed by the wider public; and

(b) sending, receiving and/or possessing naked or sexually explicit images of a Registered Member.

#### **Harassment:**

The law defines harassment as unwelcome behaviour that causes a person to feel offended, humiliated or intimidated, where a reasonable person could have anticipated that reaction in the circumstances.

A common form of harassment is sexual harassment. Sexual harassment can be physical, verbal or written and includes:

- an unwelcome sexual advance
- an unwelcome request for sexual favours
- any other unwelcome conduct of a sexual nature

#### **Zero Tolerance:**

Refers to a policy of strict, uncompromising enforcement of the rules

#### **Registered Members:**

Registered members refer to: Players, Persons appointed or elected to committees and sub-committees, Coaches, assistant coaches and team managers, Umpires and other officials. South Upwey Netball Club also deems spectators and family members as members of our club.

#### **Policy:**

A Club wide approach is adopted to prevent bullying and harassment and will involve all members (playing and non-playing). Strategies will be implemented to inform and educate the club's community and to respond to incidents, as well as unlawful conduct.

A Club wide approach is adopted to ensure the health and wellbeing of all players at South Upwey Netball Club, these measures are outlined below.

#### **Anti Bullying and Harassment**

South Upwey Netball Club's *zero tolerance* to Bullying and Harassment will be widely promoted to all members (playing and non-playing). This will be outlined on the club's website and mentioned throughout the season via social media.

Parents/guardians (for those players under the age of 18) will be made aware of this expectation, when registering their player for the new year of play.

Players (for those players over the age of 18) will be required to sign a code of conduct when registering for the new year of play.

All coaches and officials will be required to sign and return the Coaches and/or officials code of



conduct which will be returned to the Executive Committee prior to round one of each season.

- Until the signed copy is received the coach will not be able to participate in any training or matches for South Upwey Netball Club.

All committee members will be required to sign and return the Committee code of conduct which will be returned to the Executive Committee at the first sitting of the Committee in the new year.

### **Blood and Infectious Diseases**

South Upwey Netball Club will comply with the Netball Victoria policy on [blood and infectious diseases](#). See the [Wellbeing Policy](#) on the club's website for further information.

### **Codes of conduct**

South Upwey Netball Club has various [Codes of Conduct](#), adopted from Netball Victoria. These Codes can be viewed on the club's website.

### **Dispute Resolution**

South Upwey Netball Club will follow guidelines outlined by Netball Victoria (Model Rules For Incorporated Associations - Associations Incorporation Reform Act 2012).

Each club has a complaints manager. Feedback, grievances or complaints should be brought to the attention of the Club as soon as practicable. If an incident occurred that you simply wish to make us aware of, please fill out the [contact form](#). We are here to listen and address your concerns promptly and respectfully.

Further information as well as the [concerns and complaints process](#) can be viewed on the club website.

### **Emergency Procedures**

See the [Training Policy](#) on the club's website for further information.

### **First Aid**

See the [Training Policy](#) on the club's website for further information.

### **Injury Reporting**

The Club is responsible for recording all injuries of the injured player from its team (or players' guardian for players under 18) on the [Injury Report Form](#) during training sessions. See the [Training Policy](#) on the club's website for further information.

### **Smoke Free**

South Upwey Netball Club adheres to the Quit Victoria SmokeFree policy. Legislation and the legal duty of care provide clear reasons to have a completely smokefree club. Going completely smokefree will help our club comply with these responsibilities and provide a healthier club environment. This is available on the [club's website](#) for further information.

### **Sun protection**

South Upwey Netball Club adheres to the Cancer Council of Victoria's SunSmart policy. This is available on the [club's website](#) for further information.



### **Use of Social Media, the Internet and/or ICT:**

South Upwey Netball Club has adopted a [Cybersafety policy](#) from Netball Victoria. South Upwey Netball Club recognises that the use of the Internet and Information & Communication Technologies (ICT) devices can bring benefits individually and as a club. However, the club also recognises that the presence of these technologies can facilitate anti-social, inappropriate, and illegal behaviour.

This policy applies to platforms including, but not limited to:

- Social networking sites such as Facebook, Instagram, Snapchat and Twitter
- Blogs and microblogging platforms
- Review sites
- Instant messaging
- Online multiplayer gaming platforms
- Public and private online forums and discussion boards

This policy is applicable when using social media and ICT devices:

- As an officially designated individual representing South Upwey Netball Club on social media
- If you are posting content on social media in relation to South Upwey Netball Club that might affect the Club's business, products, services, events, sponsors, members or reputation

Registered Members should:

- a) be aware that postings, comments and/or messages from their individual ICT account or mobile phone will remain the responsibility of the account owner unless the account owner can prove that their account had been accessed by an unauthorised person and by a method outside of their control;
- b) be vigilant about the security of their account(s) and take all reasonable steps to protect themselves, for example, not sharing passwords or allowing others to log on to their individual accounts.
- c) be aware that where a crime has been committed, they may be subject to a criminal investigation by Police over which the relevant Organising Body will have no control. This particularly applies to 'sexting' where the Registered Member is in possession of an inappropriate sexualised image of a person under the age of 18 years.

Registered Members of Netball Victoria and/or any Organising Body must not:

- (a) post or send inappropriate comments via the Internet or ICT about any Official, Affiliated Association, Affiliated Club, Umpire, Coach, Registered Member and/or Organising Body; where:
  - I. if said in person during the conduct of a netball game, would result in disciplinary action being taken; or
  - II. such posting would be in breach of the Netball Australia Member Protection Policy:
    - a. Section 4 Code of Behaviour



b. Section 7 Policy Position Statements.

### Weather

In the case of extreme weather conditions, South Upwey Netball Club will follow the details of the Weather contingency section of the Training Policy on the [club's website](#), for training sessions and other SUNC events. During competition the Association determines if play is to be cancelled in wet or hot conditions.

### Procedure

*In line with Netball Victoria's requirement to have a Child Safety Officer and a Complaint's manager within each club, South Upwey Netball Club has updated the processes for raising concerns and complaints with the club, and these are outlined below.*

The Child Safety Officer's role is:

- to act as the first point of contact for any child safety concerns or reports
- to support the implementation of Netball Victoria's child safeguarding policies and procedures
- to help embed a culture within the club of child safety, in accordance with the Child Safety Standards
- to lead a Child Safety review and action plan within the club

The Complaints Manager's role is:

- to receive complaints and act as the first point of contact for individuals wishing to raise a concern or complaint
- to advise complainants on their rights, processes, and possible resolutions
- to offer support and explain the complaint procedure clearly and fairly to all parties
- where appropriate, to facilitate informal resolution or mediation between parties
- to work toward timely and fair resolution of disputes
- to maintain confidential and accurate records of all complaints and actions taken

### Reporting

South Upwey Netball Club is committed to ensuring members participate in an amicable and equitable environment, where grievances are dealt with promptly and with sensitivity. South Upwey Netball Club's [codes of conduct](#) apply to all members and provide guidelines for behavioural expectations, standards and values. All members of South Upwey Netball Club (playing and non-playing), have a responsibility to immediately report any inappropriate or unlawful conduct to the Complaints Manager and/or a member of the committee. All reports will be treated seriously and investigated in accordance with the following Policy and Procedure.

**The majority of grievances can and should be resolved in an informal way however there will be instances where a more formal process will need to be followed.**

Initially:

- When a member wishes to raise a grievance, they should initially attempt to resolve the grievance through informal discussions with the other party or parties involved, stating the nature of the offensive behaviour and requesting that it ceases



- The member against whom the grievance is made should aim to respond openly, including action that will be taken to address the grievance
- If the member does not feel they can raise the matter with the other party or if they are not satisfied with the outcome of the discussion with the other party, they should advise a member of the committee and may request assistance in resolving the complaint

In the next instance:

- If satisfaction is not reached at the first level of the process, a written formal complaint can then be made to the complaints manager via this form.
- The complaints manager will follow the process outlined above in their role description

### Processes:

Our Constitution (clause 7- Membership) notes that disciplinary action against a member of the club may take place if:

- a. Subject to these Rules, if the Committee is of the opinion that a member has refused or neglected to comply with these Rules, or has been guilty of conduct unbecoming a member or prejudicial to the interests of South Upwey Netball Club, the committee may by resolution:
  - i. Suspend that member from membership of South Upwey Netball Club for a specified period;  
or
  - ii. Expel that member from South Upwey Netball Club

Our Codes of Conduct set out the [Fair Play Code](#) which are applied by demonstrating the five core values of *Integrity, Respect, Responsibility, Fairness and Safety* that lead to fair play for all. All members of our club are expected to abide by the relevant [Code of Conduct/s](#) applicable to them (these can be found on the website). This *Fair Play Code* references [Netball Australia's Code of Conduct](#)- which provides information on Submitting a Complaint (10.1):

**10.1.1** A person or organisation (including a Relevant Organisation) may submit a Complaint:

**10.1.1.1** by completing the Complaint Form located at *Schedule 2\** in writing and submitting it to the appropriate Relevant Organisation at the email nominated by the Relevant Organisation, as soon as reasonably possible following the Alleged Breach; or

**10.1.1.2** by contacting the [Netball Speak Up Hotline](#). To avoid doubt, reference in this Policy to the Complaint Form, includes any Complaint lodged through the Netball Speak Up Hotline.

\*(*Schedule 2*) has been reformatted for ease of submission into [this form](#)

Individuals should make themselves familiar with the following information, if they believe a situation exists where a complaint is warranted:

- [South Upwey Netball Club Constitution](#)
- [South Upwey Netball Club By-Laws](#)
- [South Upwey Netball Club Codes of Conduct](#)
- [Complaint form](#) (for lodging a complaint with the club)
- [Respondent form](#) (for those subject to a complaint to provide their initial response to the club)



- [Appeals form](#) (for those wishing to appeal a decision of the Complaints Manager or Hearing Panel)
- [Netball Victoria Competition Regulations](#)
- [Overview of Netball Victoria Dispute Resolution](#)

Any issue, regardless of who is involved, will be addressed promptly in a professional manner and contained to the relevant people involved. Feedback, grievances or complaints should be brought to the attention of the Committee as soon as practical.

If an incident occurred that you wish to make the Committee aware of, but you do not believe needs investigation, please fill out the [contact form](#).

### **Investigation**

When a complaint is received, the Complaints Manager will engage one or more of the following processes to obtain an understanding of the complaint:

- Obtain and record a full, step-by-step account of the incident
- Ensure the process in this Policy is fully outlined and understood by both the complainant/s and the respondent/s
- Ascertain the complainant/s' preferred outcome e.g. an apology, the behaviour is to cease, mediation or other outcome deemed appropriate
- Advise the respondent/s (and parents if applicable) and take action as deemed necessary
- Arrange for the appropriate outcome to be enacted, i.e. apology given, mediation
- Keep a confidential record of all details of all discussions and subsequent steps taken in the process.

### **Sanctions**

The executive committee will seek to ensure that any disciplinary measure imposed is fair and reasonable and when considering suspension or expulsion, this decision will rest fully with a formal meeting.

At any point, the player/family may also be contacted for an informal or formal meeting to discuss strategies which may be used to support the player and to resolve the issue/s.

Sanctions include but may not be limited to:

- A direction that the individual make a verbal and/or written apology
- A verbal or written warning
- Suspension from playing or participating in Club activities/roles including attending training and matches. This also applies to parents/guardians and spectators.
- Expulsion from the club

Under Netball Victoria's Competition Regulations, a proven charge of an online breach of code of conduct, as per this policy, may attract one or more of the following penalties:

- a) A warning;
- b) A monetary fine;
- c) Suspension;
- d) Disqualification; and/or
- e) Any other such penalty as the Complaint's Manager considers appropriate

## **Appeals**

A Registered Member may appeal a decision made under Netball Victoria's Competition Regulations.

## **Breach of Policy:**

It is a breach of this Policy for any person or organisation bound by this Policy to do anything contrary to this Policy, including but not limited to:

- Acting in a manner contrary to this Policy
- Bringing or acting in a manner likely to bring South Upwey netball Club or Affiliates into disrepute. This includes conduct that is dishonest, fraudulent, corrupt, illegal, unethical, improper, unsafe and conduct that may cause financial or reputational loss.
- Discriminating against, sexually harassing or bullying (including cyber-bullying) any person covered by this Policy
- Victimising another person for making or supporting a complaint
- Engaging in a sexually inappropriate relationship with a person that s/he supervises, or has influence, authority or power over.
- Verbally or physically assaulting another person, intimidating another person or creating a hostile environment within netball
- Appointing or continuing to appoint a person to a role that involves working with children and young people contrary to this Policy
- Disclosing to any unauthorised person or organisation any information that is of a private, confidential or privileged nature
- Making a complaint that they know to be untrue, vexatious, malicious or improper
- Failing to comply with a penalty imposed after a finding that the individual has breached this Policy
- Failing to comply with a direction given to the individual as part of a disciplinary process

## **Points of Note:**

- All reports of inappropriate conduct as outlined in this Policy will be investigated fully and may result in a notification to Police where South Upwey Netball Club is legally obliged to do so. A notification to Police by an individual will not override the club's responsibility to fully investigate a complaint, if one has been lodged, and such investigation will be conducted alongside any Police investigation.
- Any Registered Member who feels that they have been the victim a misuse of technology should save and store the offending material on their computer, mobile phone or other device.
  - If the content is of a sexually explicit nature, the Police should be informed immediately by the member (or parent in the case of a minor), followed by a report to the relevant Organising Body.
- For all other instances of cyberbullying, the recipient and/or other person having knowledge of such behaviour, should retain a copy of the material and immediately report the incident following the procedure listed above. The member affected should also report the abuse to the relevant app/internet site, if applicable.
- All or any of the above complaints notification process can be completed in conjunction with the complainant's parent/s. The complainant also has the right to discontinue the process at any time. A complaint may be followed up, once withdrawn by the complainant if it is determined that it is in the best interests of the club or that the actions of the perpetrator are deemed unlawful.



## **Roles & Responsibilities**

**The Committee** is responsible for providing robust policy and procedure guidelines for its members in relation to what is deemed acceptable and appropriate behaviours and adhering to and applying this policy and procedure accordingly.

**Complaint's Manager** is responsible for adhering to this policy and procedure and actively supporting members through official channels- who feel their rights have been impeded and/or that they have been discriminated against. The Hearing officer is responsible for the dispute resolution process.

**Members (playing and non-playing) and Officials** are responsible for adhering to all aspects of this policy and procedure.

## **Child Safety**

We all have an obligation to do the best we can to keep children safe from harm and abuse. As of 1 January 2017, the Victorian Child Safe Standards were introduced and apply to all sporting organisations that operate and provide sporting services to children within Victoria.

As a result, Netball Victoria formally adopted the Child Safe Standards and developed the [Child Safety Code of Conduct](#) and the [Child Safety in Netball Policy](#). South Upwey Netball Club adheres to these policies and codes of conduct.

South Upwey Netball Club is responsible for the observance, promotion, enforcement and monitoring of the Child Safety in Netball Policy and Code of Conduct. The Club will take responsibility for the management and administration of the application of the Netball Victoria Working with Children Check Regulation. The Child Safety Policies as they relate to the club can be viewed on the [club's website](#).

South Upwey Netball club is committed to safeguarding everyone involved with our club, ensuring that they feel and are safe. Child Safe Practices have been developed to identify and prevent behaviour that may be harmful to the Children and Young People in Netball. The Committee must ensure that everyone involved in the club abides by certain behavioural standards when it comes to dealing with Children & Young People, which involves making sure the committee is up to date with Child Safe Practices and standards, and trained in protective reporting. If a member of the Committee formed a belief on reasonable grounds that a child/young person is in need of immediate protection; or is at significant risk of harm they may contact [Child Protection or Orange Door](#) to complete a protective report. This may be due to having:

- received a disclosure from a child about abuse or neglect
- observed indicators of abuse or neglect
- been made aware of possible harm via their involvement in the community.

## **Images of Children**

The club is committed to complying to the Netball Australia Child Safeguarding Policy as adopted by Netball Victoria and is bound by the Child Wellbeing and Safety Act 2005 (Vic).

Children are to be photographed or videoed while involved in Netball only if:

- the Child's parent or guardian has provided prior written approval for the photographs to be taken or for the video footage to be captured;
- the context is directly related to participation in Netball;
- the Child is appropriately dressed and posed; and
- the image is taken in the presence of other personnel.



Relevant Organisations and Relevant Persons must not distribute images or videos (including as an attachment to an email) to anyone outside Netball organization.

When using an approved photo of a child, the Club or other delegated authority will not name or identify the child, publish personal information such as residential address, email address, telephone numbers and school, without the consent of the parent/guardian.

On game days at the MDNA venue, a person taking or sharing photos or videos with cameras / mobile phones must:

- a. Attend the Competition Office to collect a permission form and lanyard which identifies that the individual has permission to film or photograph, and
- b. Obtain written consent via signatures from the coach of your Team, the coach of the opposition Team, and the umpires.