

ANTI BULLYING & HARRASSMENT POLICY

Responsible person	Kaz Seddon	Approved by Board on	Approved
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INTRODUCTION

The Australian Scooter Association believes that all people should work and play in an environment free from bullying and harrassment.

The Australian Scooter Association understands that bullying is a threat to the health and wellbeing of its staff, volunteers, and competitors.

Accordingly, The Australian Scooter Association is committed to eliminating, as far as is reasonably practicable, all forms of bullying by maintaining a culture of openness, support, and accountability.

PURPOSE

The purpose of this document is to communicate that the ASA does not tolerate any form of bullying and to set out the process which is to be followed should any instances of bullying be reported.

DEFINITIONS

“Bullying” is repeated, and unreasonable behaviour directed towards a person or group of persons that creates a risk to health and safety. It includes behaviour that could be expected to intimidate, offend, degrade, humiliate, undermine, or threaten.

“Repeated behaviour” refers to the persistent nature of the behaviour and can involve a range of behaviour over time.

“Unreasonable behaviour” is behaviour that a reasonable person, having considered the circumstances would see as unreasonable, including behavior that is victimising, humiliating, intimidating, or threatening.

Examples of behaviour, whether intentional or unintentional, that may be bullying if they are repeated, unreasonable and create a risk to health and safety include but are not limited to:

- abusive, insulting, or offensive language or comments
- unjustified criticism or complaints
- intimidation
- deliberately excluding someone from activities
- withholding information that is vital for effective performance

Policies can be established or altered only by the Board: **Procedures** may be altered by the CEO.

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- spreading misinformation or malicious rumours

Bullying can be carried out in a variety of ways including through email, text, or social media channels.

Bullying can occur between competitors (sideways), from ASA Representatives to competitors (downwards), or competitors to supervisors/ASA Representatives (upwards).

Reasonable management action is not considered to be bullying if it is carried out lawfully and in a reasonable manner in the circumstances. Examples of reasonable management action include but are not limited to:

- setting reasonable performance goals, standards and deadlines
- informing a participant (rider, parent, volunteer) about unsatisfactory performance in an honest, fair and constructive way
- taking disciplinary action, including suspension or terminating membership.

Differences of opinion and disagreements are generally not considered to be competitions bullying.

Bullying that directly inflicts physical pain, harm, or humiliation amounts to assault and should be dealt with as a police matter (see below).

POLICY

The Australian Scooter Association has a duty of care to provide a safe place, and ensure, as far as is reasonably practicable, that competitors and other people are not exposed to health and safety risks.

The Australian Scooter Association accepts and acts on its duty of care. any reported allegations of bullying will be promptly, thoroughly, and fairly investigated.

Bullying complaints will be handled in a confidential and procedurally fair manner. Where confidentiality cannot be guaranteed this will be clearly communicated to the relevant parties.

All parties will be treated with respect.

The person against whom the allegation is made has the right to natural justice (the right to know what is alleged against them, the right to put their case in reply, and the right for any decision to be made by an impartial decision-maker).

If the behaviour is directly observed by any event volunteer, that rider/parent will be removed, banned and no refund will be provided. This is a Zero Tolerance policy.

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BULLYING PROCEDURES

Responsible person

Kaz Seddon

Approved by Board

RESPONSIBILITIES

It is the obligation and responsibility of every person to ensure that the competition is free from bullying. The responsibility lies with every event ASA Representative, rider, and volunteer to ensure that bullying does not occur in the competitions.

All workers have:

- an entitlement to work in a safe and healthy competitions and to be treated with dignity and respect
- an entitlement to make a complaint in respect of any bullying behaviour
- a responsibility to take reasonable care for their own health and safety
- a responsibility to ensure they do not promote or engage in bullying and otherwise take reasonable care that their acts or omissions do not adversely affect the health and safety of other people
- a responsibility to co-operate and comply with this policy and any other relevant policy.

It is the responsibility of all ASA Representatives to ensure that:

- they understand, and are committed to, the right of all riders and volunteers to attend comps and perform their duties without fear of being bullied in any form
- all reasonable steps to eliminate bullying are made as far as is reasonably practicable
- all applicable occupational health and safety legislation is observed
- all riders and volunteers are regularly educated and made aware of their obligations and responsibilities in relation to providing a competition/s free from bullying
- they provide an environment which discourages bullying, and set an example by their own behaviour
- all complaints are treated seriously and confidentially
- they are as far as practicable aware of whether bullying is occurring, whether complaints are received or not, relying on such indices as:
 - sudden increases in absenteeism
 - unexplained requests for transfers
 - behavioural changes such as depression
 - sudden deterioration in work performance
- they take immediate and appropriate action if they become aware of any bullying or offensive behaviour

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- any reported allegations of competitions bullying are promptly, thoroughly, and fairly investigated
- guidance and education are provided, where requested and/or appropriate, to cases and subsequent decisions relating to bullying
- ongoing support and guidance are provided to management, riders and volunteers in relation to the prevention of bullying
- this policy is displayed in the competitions and easily accessible to all workers and volunteers.

PROCEDURES

Complaints Procedures

If a rider or volunteer feels comfortable in doing so, it is preferable to raise the issue with the person directly with a view to resolving the issue by discussion. The rider or volunteer should identify the offensive behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stops.

If the behaviour continues, or if the rider or volunteer feels unable to speak to the person(s) directly, they should contact their state rep or an ASA officer with whom they feel comfortable. The ASA Representative or officer will provide support and ascertain the nature of the complaint.

Informal Intervention

The ASA Representative will explain the rights and responsibilities of the rider or volunteer under the relevant policy and procedures.

Informal intervention may be done through a process of either mediation or conciliation. During informal intervention the respondent will be made aware of the allegations being made against them and given the right to respond. Interventions at this stage should adopt a confidential, non-confrontational approach with a view to resolving the issue.

This procedure will be complete when the alleged harasser respects the individual's request to cease unwanted and unwelcome behaviour, or when the complainant accepts that the behaviour is not properly described as bullying. If neither of these outcomes occurs, the organisation's formal procedure should be followed.

Formal Complaints Procedure

The formal complaint procedure involves a formal investigation of the complaint. Formal investigations may be conducted internally (by an ASA officer) or by an external investigator.

An investigation involves collecting information about the complaint and then making a finding based on the available information as to whether the alleged behaviour occurred.

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Once a finding is made, the investigator will make recommendations about resolving the complaint.

The investigator may need to interview the parties involved (which may include the complainant, the respondent, and any witnesses) to obtain information regarding the complaint. The investigator will comprehensively and accurately document all information obtained during the interviews including the parties involved, timing, location, and nature of conduct complained against.

If the investigator considers it appropriate for the safe and efficient conduct of an investigation, competitions participants may be stood down.

Throughout the investigation process, all parties involved in the investigation will be regularly kept informed about the investigation.

The findings as to whether bullying has occurred will be determined based on the evidence, and on the balance of probabilities.

Based on the findings, possible outcomes of the investigation may include, but will not be limited to, any combination of the following:

- Counselling
- Disciplinary action (including an up to termination of employment)
- Official warning
- Formal apology and/or an undertaking that the behaviour will cease
- Mediation where the parties to the complaint agree to a mutually acceptable resolution.

On completion of the investigation, all parties will be informed about the investigation findings and the outcome of the investigation.

Following an investigation concerning a bullying complaint (irrespective of the findings), the ASA Representative concerned will:

- consult with the parties involved to monitor the situation and their wellbeing; and
- educate and remind all employees and volunteers of their obligations and responsibilities in relation to providing a competitions free from bullying

Procedures for Dealing with Criminal Conduct

Some forms of severe bullying (physical attack, for example, or obscene phone calls) may constitute criminal conduct. While the ASA is committed to treat most complaints about bullying at an organisational level as far as possible, this type of conduct is not suited to internal resolution. Such complaints should be treated by the criminal justice system. Employees or volunteers should be advised of the option of police support or intervention. It is not the obligation or duty of the organisation to report such matters to the police on behalf of the complainant.

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RELATED DOCUMENTS

- [Affirmative Action Policy](#)
- [EDiscrimination Policy](#)
- [Sexual Harassment Policy](#)

AUTHORISATION

Kaz Seddon

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