



Rats of Tobruk Association Inc.

Acceptable Conduct Policy Procedures

INTRODUCTION

The Rats of Tobruk Association Inc. (ROTA Inc.) is committed to maintaining an environment that promotes equal opportunity for all members, visitors, contractors and guests.

The purpose of this policy is to provide guidance to the ROTA Inc. & Affiliate Members on how to identify and prevent unlawful discrimination, sexual harassment, victimisation & vilification. It is also a framework for the reporting and handling of such complaints in our Association.

ROTA Inc. Recognises its obligations to ensure all Veterans & Affiliate Members are familiar with their rights and responsibilities as established by this policy and the mutual obligation to promote an organisation that supports an environment that is free from discrimination & harassment.

SCOPE

This policy applies to all Veterans, Affiliate Members & office bearers when they are engaged in activities that are reasonably connected to that role. Associated clubs & societies engaged in activities reasonably connected with ROTA Inc. Such activities may extend beyond the ROTA Inc. Premises. For example, this policy applies during:

- Official ROTA Inc. Events
- Puckapunyal reunion commemorative ceremony

This policy applies at all times when a member is representing ROTA Inc., or doing a presentation on behalf of or for ROTA Inc., whether on ROTA Inc. Premises or off-site.

It applies to afterhours & off-site activities & functions that are organised by ROTA Inc., or which are attended on behalf of ROTA Inc. This includes Christmas breakup & other ROTA Inc. activities.

This policy only applies to members when they are engaged in activities reasonably connected to their role as an elected representative of ROTA Inc.



The policies of ROTA Inc. “apply to all members & visitors to Tobruk House who are engaged in any activities connected with ROTA Inc”.

WHAT WE EXPECT FROM YOU

We expect everyone to:

- Treat everyone at ROTA Inc., or away from Tobruk House, members, visitors, clients or anyone else-with respect, courtesy and dignity;
- Value the diversity of people & respect cultural differences;
- Not engage in unlawful discrimination, sexual harassment, victimisation or vilification, or encourage others to do so.
- Report any unlawful discrimination, sexual harassment, victimisation or vilification that you witness, to the President of ROTA Inc. or one of ROTA Inc’s Committee members
- Co-operate with any investigation of complaints;
- Familiarise yourself with ROTA Inc. Policies & understand your obligations under those policies.

If you are a member of the ROTA Inc. or ROTA Inc. Committee, you have additional obligations to those outlined on the previous page, we expect you to:

- Ensure members understand their obligations;
- Be a leader & role model for others within ROTA Inc. & ensure that you behave appropriately at all times;
- Treat all complaints seriously & confidentially & seek advice from the ROTA Inc. Committee;
- Where unlawful discrimination, sexual harassment, victimisation or vilification is observed or reported by others, take appropriate action. A formal complaint is not required to instigate action, and
- Encourage people to treat each other with respect & value difference.

WHAT WE WILL NOT TOLERATE

We will not tolerate unlawful discrimination, sexual harassment, victimisation & racial or religious vilification. These terms are explained below.

UNLAWFUL DISCRIMINATION

Unlawful discrimination means direct or indirect discrimination on the basis of a Protected Attribute. Protected Attributes are specifically listed in anti-discrimination legislation; a sample is listed below.

A Protected Attribute is a person's:

- Age
- Breastfeeding
- Disability or impairment
- Employment activity
- Gender identity
- Industrial activity
- Lawful sexual activity
- Marital status
- Pregnancy
- Physical features
- Political belief/activity
- Religious belief/activity
- sex
- sexual orientation

A Protected Attribute also includes a person's association with someone who is identified by reference to a Protected Attribute.

Direct discrimination occurs if a person treats or proposes to treat a person with a Protected Attribute unfavourably because of that Protected Attribute. Some examples of direct discrimination are:

- Not offering a position of responsibility to an older member because of their age.
- Excluding a member from a ROTA Inc. Related event at an event because she is pregnant.

Indirect discrimination occurs when an unreasonable requirement, condition or practice that purports to treat every on the same ends up either actually or potentially disadvantaging someone with an Attribute Protected by law. Some examples of indirect discrimination are:

- Scheduling committee meetings before the start of a working hours when they could just as easily be scheduled at during the day.
- Holding an event at a venue that does not permit access or participation by a member with a disability.

Unlawful discrimination can occur even if you do not intend to discriminate.

SEXUAL HARASSMENT

Sexual harassment means unwelcome conduct of a sexual nature in circumstances in which a reasonable person, having regard to all circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated. Conduct may be sexual harassment regardless of the intention of the harasser.

Some examples of sexual harassment are:

- Repeatedly asking a member to go on a date when that person has already declined.
- Sending an email from your home or business computer to a member that contains an attachment with a semi-naked person in a sexual pose.

VICTIMISATION

Victimisation means unfavourable treatment of someone who reports or complains about any of the conduct covered in this policy.

Some examples of victimisation are:

- Dismissing a member because he/she has made a complaint about unlawful discrimination in the Association.
- Excluding or isolating a member because he/she has made a complaint of sexual harassment against one of the members of ROTA Inc.

RACIAL OR RELIGIOUS VILIFICATION

Racial or religious vilification means conduct that incites hatred against, serious contempt for, or revulsion or severe ridicule of, a person or group of persons on the basis of their race or religious belief. Serious racial or religious vilification involves a threat to harm another person or their property and is a criminal offence.

Some examples of racial or religious vilification are:

- Sending an email to a member which ridicules indigenous Australians
- Making threats to harm a member because he/she is a Muslim (serious religious vilification).

WHAT YOU SHOULD DO IF YOU THINK SOMEONE IS BREACHING THIS POLICY

There are several options for dealing with complaints under this policy

OPTION 1: ASK THE PERSON TO STOP

You should consider approaching the person or people involved to resolve your concern directly. You may benefit from advice or support from the President of ROTA Inc. Prior to taking this step.

Ask the person to stop the behaviour. Often people do not realise when their behaviour is upsetting others. Telling the other person that their behaviour is unwelcome and upsetting to you may be enough for the behaviour to cease.

If you do not feel comfortable with this approach, then you should consider further options from those outlined below.

OPTION 2: SPEAK TO THE PRESIDENT OR A COMMITTEE MEMBER OF ROTA Inc.

If a complaint or concern cannot be resolved by informal discussion with the person or people directly, or you do not feel comfortable speaking to them yourself, you should discuss the matter with, & seek guidance from:

- The President of ROTA Inc.
- A Committee member of ROTA Inc.

Speaking with the President of ROTA Inc. or a Committee Member can help you understand whether the behaviour you are being subjected to could be unlawful discrimination, sexual harassment, victimisation or vilification. In this discussion, various options for resolving your concerns will be explored.

Your President may also be able to intervene on your behalf to alert the person or people that they need to stop the behaviour. In some cases there may be a need for a general educative response to address an organisational culture or systemic issues.

OPTION 3: INFORMAL APPROACH

Where a complaint is made, there may be alternative resolution processes available to assist resolution, such as conciliation. Whether these alternative resolution processes are appropriate depends on each individual complaint.

Upon receipt of the complaint, such options will be considered by consultation between the complainant and the ROTA Inc. Committee representative responsible for handling the complaint.

OPTION 4: LODGE A COMPLAINT WITH AN EXTERNAL ORGANISATION

At any point in the process you may make a complaint to a relevant external organisation. Complaints regarding breaches of equal opportunity & sexual harassment laws may be made to the Victoria Equal Opportunity and Human Rights Commission or the Australian Human Rights Commission. Bullying complaints may be directed to the ROTA Inc. Committee.

FORMAL INVESTIGATION

A formal investigation may be initiated by ROTA Inc. where:

- The informal process requesting the inappropriate conduct to stop and/or informal resolution has been unsuccessful; and
- A formal written complaint is made against a member of ROTA Inc.
- In any other circumstances where ROTA Inc. considers it appropriate.

ROTA Inc. Will exercise its discretion, as to whether it should investigate a complaint. Not all complaints are appropriate for investigation. Further ROTA Inc. may conduct an investigation at its own initiative.

OUTCOME

The complainant & the person(s) against whom the complaint is made, will be informed of whether or not the complaint is substantiated. If the complaint is substantiated ROTA Inc. will take appropriate action.

WHAT HAPPENS IF THIS POLICY IS BREACHED?

ROTA Inc. may consider disciplinary action against a person breaching this policy in accordance with the relevant disciplinary processes laid out in Division 2 & 3 of ROTA Inc. Association Rules.

Under anti-discrimination laws, the person in breach of the policy may be personally liable for compensation awarded by a court or tribunal to the person who has been subject to unlawful discrimination, sexual harassment or victimisation.

Under racial & religious vilification laws, a person who engages in serious racial or religious vilification may face a term of imprisonment.

HOW WILL THIS POLICY BE IMPLEMENTED

Where there is an alleged breach of this policy, all information must be treated confidentially, to the greatest extent possible, by all parties involved.

Where a complaint is serious and /or the President or Committee Member of ROTA Inc. believes actions need to be taken, information will be disclosed only to those people who need to know about the complaint.

The obligation of confidentiality does not prevent ROTA Inc. from using or disclosing any information necessary to initiate or defend any legal proceedings, or to make any submissions in relation to any inquiry or complaint, or to refer the matter to the police.

A person making a complaint will not be treated detrimentally because they make a complaint. It is unlawful to victimise a person for making a legitimate complaint of unlawful discrimination or sexual harassment.

The ROTA Inc. Acceptable Conduct Policy will be reviewed every 12 months.

The President of ROTA Inc. can appoint a sub-committee that has responsibility for leading the review of this policy. The process for reviewing the policy includes:

- Assessment of policy implementation to date;
- Those covered by the policy are provided with the opportunity to give feedback;
- All feedback & suggestions will be considered by the review of the policy;
- Proposes changes will be presented to ROTA Inc. members to achieve consensus.
- ROTA Inc. will endorse the finalised policy & will also make copies available on the website.