

# Tolland Football Club Incorporated

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## **Tolland Football Club Anti Bullying and Anti-Discrimination Policy**

### **Anti-Discrimination, Anti-Bullying and Harassment Rationale:**

The Tolland Football Club oppose all forms of harassment, discrimination and bullying. The Club 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 and harassment. This includes treating or proposing to treat someone less favourably because of a particular characteristic; imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal or disproportionate effect on people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone and computers. Some forms of harassment, discrimination and bullying, based on personal characteristics listed in this Policy, are also against the law.

### **What Is 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, Territory or Federal anti-discrimination laws. Basically Discrimination means treating or proposing to treat someone less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws

The personal characteristics protected by anti-discrimination laws include those listed in the definition of Discrimination in this Policy.

### **Discrimination can be either direct or indirect:**

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 purposes of determining Discrimination, the offender's awareness and motive are irrelevant.

The characteristics covered by discrimination law across Australia include, but are not limited to:

1. Pregnancy, potential pregnancy and breastfeeding;
2. Profession, trade, occupation, or calling;
3. Race;
4. Religion, religious belief/activity;
5. Sexual orientation;
6. Social origin or natural extraction;
7. Association with a person who has, or is assumed to have, one or more of the characteristics listed above.

### **What Is Harassment? (Also see Child protection Policy)**

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, Territory or Federal anti-discrimination laws.

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 is 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.

The Club prohibit all forms of Harassment and Discrimination.

Any person who believes they are being, or have been, harassed or discriminated against by another person or organisation bound by this Policy is encouraged to raise their concerns with the relevant Club committee members. Please refer to the Club executive who will explain what to do about the behaviour and how the Club will deal with the problem. In addition to making an internal complaint, in some circumstances a person may be able to make a complaint to an external organisation.

### **What Is Gender Identity?**

Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other

than male or female. Some terms used to describe a person's gender identity include trans, transgender and gender diverse.

## **Gender identity Discrimination and Harassment**

Federal, State and Territory anti-discrimination laws provide protection from discrimination against people on the basis of their Gender identity

The Club is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate. All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times.

The Club will not tolerate any unlawful discrimination or harassment of a person because of their Gender identity. This includes Discrimination or Harassment of a person who is transgender or transsexual or who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual.

### **Bullying:**

The Club is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in serious negative consequences for an individual's health and wellbeing, and all forms of bullying is regarded by the Club as unacceptable in this sport.

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, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group.

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

The following types of behaviour, where repeated or occupying 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. Given the emergence of new telephone and Internet social networks, the opportunity for unwanted and improper comments and statements has dramatically increased. Messages or statements made in these ways using these means of communication are largely instantaneous, and can easily be abused.

Others may also manipulate a person by encouraging a statement to be made on Twitter, Facebook, My Space or LinkedIn, for example, when the writer may be upset or vulnerable.

Bullying has the potential to cause great anxiety and distress to the person who has been the target of any comments or statements. In some cases, bullying is regarded as a criminal offence punishable by imprisonment, amongst other things. Frustration at a referee, team-mate, coach, or sporting body should never be communicated on social network channels, but rather by way of reasoned and logical verbal and written statements and where appropriate, complaints, to the relevant controlling Competition Administrator, Club, District Association or Member Federation.

If a person believes they are being, or have been, bullied by another person or organization bound by this Policy, he or she may make a complaint. Please pass on your concerns to the Club Executive so we can deal with any issues that may arise.

### **What Happens If You Breach This Policy?**

It is a breach of this Policy for any person or organisation to which this Policy applies, to do anything contrary to this Policy. The club executive classifies a breach of this policy to be either minor or major. Minor offences always start at step one while a major breach of policy goes straight to step two.

The Club may impose disciplinary sanctions on members, players, officials, volunteers or supporters in accordance with the stated recommendations of this policy not being implemented/followed and may implement the following maximum sanctions:

**Step one:** For minor incidents of this policy breach the offender concerned is warned and their inappropriate behaviour is explained by the Club representatives. This will always involve a clear warning not to repeat a further policy breach. The offender will clearly understand that if further policy breaches occur they will receive some sanctions stated in the anti-racism policy. The incident is recorded. A written notification will be supplied to the offender

**Step two:** Following a second incident of any policy breach by the same offender (name already recorded) the offender will be given one of the sanction/s outlined below.

- (a) the imposition of a fine (maximum \$200);
- (b) suspension up to a maximum of 12 Matches; or
- (c) expulsion from the Tolland Football Club (delisted as a registered player or official)
- (d) ban from attending club matches, training sessions, club events/fund raisers or club outings (maximum 12 weeks/matches).

### **NOTICE AND DISCIPLINARY SANCTIONS**

The Club may enforce the terms of this policy and invoke the sanctions only if it has given the party alleged to have infringed this policy:

- (a) reasonable details of the alleged infringement;
- (b) notice of possible sanctions; and
- (c) the opportunity to be heard in relation to the issues of infringement and sanction.

The imposition of a sanction is immediate or as otherwise notified by the party imposing the sanction.

If a Member disputes the sanction or purported action taken under this policy that party may appeal in accordance with the Grievance Resolution Regulations (outlined in the club constitution) provided that it does so within 7 business days of notice of the sanction.

### **What Can I Do If I'm Issued With Any Of The Above Sanctions?**

Accept the issued sanction or seek advice from club officials, the Club MPIO officer or other sources to lodge an appeal as stated in the grievances procedures written in the club constitution.

TFC Committee  
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