



Bullying Policy and Procedure

1.1 INTRODUCTION

East Coast Derby Dolls (ECDD) believes that all members, guests and those affiliated with our club should enjoy being involved with the sport of roller derby in an environment free from bullying.

ECDD understands that bullying is a threat to the health and wellbeing of our members, guests and persons affiliated with our club and sport.

Accordingly, ECDD is committed to eliminating, so far as is reasonably practicable, all forms of bullying by maintaining a culture of openness, support, and accountability.

1.2 PURPOSE

The purpose of this document is to communicate that ECDD 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.

1.3 DEFINITIONS

1.3.1 Bullying

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 considered to intimidate, offend, degrade, humiliate, undermine or threaten.

1.3.2 Repeated Behaviour

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

1.3.3 Unreasonable behaviour

Refers to behaviour that a reasonable person, having considered the circumstances would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.

1.3.4 Examples of Bullying Behaviour

Examples of behaviour, whether intentional or unintentional, face-to-face or via any mediated technologies (for example, but not limited to, phone, text, computer, social media) that may be considered to 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



- deliberately excluding someone from club or team activities
- withholding information that is vital for effective team or skater performance
- setting unreasonable timelines or constantly changing expectations
- setting tasks that are unreasonably below or beyond a person's skill level
- denying access to information, supervision, consultation or resources to the detriment of the club member
- spreading misinformation or malicious rumours
- changing club or team arrangements such as rosters to deliberately inconvenience a particular team or club member.

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

Bullying can occur between members/skaters (sideways), from coaches or Committee Members to members/skaters (downwards), or members/skaters to coaches or Committee Members (upwards).

1.3.5 Reasonable member/skater management

Reasonable member management action is not considered to be bullying if it is carried out lawfully and in a reasonable manner in the circumstances. Reasonable coaching tactics are not considered to be bullying if carried out lawfully, respectfully, within context and in a reasonable manner under the circumstances. Examples of reasonable management/coaching action include but are not limited to:

- setting reasonable individual and team goals, standards and expectations
- deciding not to select a skater for a team where a reasonable process is followed
- informing a skater or member 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 bullying if all associated behaviour is reasonable. Bullying that directly inflicts physical pain, harm, or humiliation amounts to assault and should be dealt with as a police matter (see below).

1.4 POLICY

ECDD has a duty of care to provide a safe place to skate and/or be involved in the sport of roller derby, and to ensure, so far as is reasonably practicable, that our members and other people are not exposed to health and safety risks.

ECDD 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).



1.5 RESPONSIBILITIES

It is the obligation and responsibility of every person to ensure that our club environment is free from bullying. The responsibility lies with every member, guest of the club, and affiliated person of the club to ensure that bullying does not occur in our club.

All members have:

- an entitlement to train and carry out their club-related activities in a safe and healthy environment 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; and
- a responsibility to co-operate and comply with this policy and any other relevant policies.

It is the responsibility of Coaches, Committee Members, the Grievance Officer, and the club President to ensure that:

- they understand, and are committed to, the right of all club members, guests and affiliated persons to attend training and other club related activities without fear of being bullied in any form;
- all reasonable steps to eliminate bullying are made so far as is reasonably practicable;
- all applicable health and safety legislation related to our sport is observed;
- all members are regularly educated and made aware of their obligations and responsibilities in relation to providing a training space 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 and unexplained increases in absenteeism
 - unexplained termination of membership
 - behavioural changes such as depression
 - sudden deterioration in training performance;
- they take immediate and appropriate action if they become aware of any bullying or offensive behaviour;
- any reported allegations of bullying are promptly, thoroughly, and fairly investigated;
- guidance and education is provided, where requested and/or appropriate, to cases and subsequent decisions relating to bullying;
- ongoing support and guidance is provided to members in relation to the prevention of bullying; and
- this policy is easily accessible to all members.



1.6 PROCEDURES

1.6.1 Complaints Process

If the member, guest or affiliated person 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 member, guest or person affiliated with our club should identify the offensive behaviour, explain that the behaviour is unwelcome and offensive and ask that the behaviour stop.

If a member (et al.) discloses bullying (or potential bullying) to a peer, the peer should keep this disclosure confidential except to support their peer and to recommend that their peer report the behaviour according to this procedure.

If the behaviour continues, or if the member (et al.) feels unable to speak to the person(s) directly, they should contact the club President or a Committee Member, who will provide support and ascertain the nature of the complaint.

Once reported to the club President or Committee Member, the Grievance Officer should be notified immediately for support and guidance. Intervention should occur as soon as practicable.

1.6.2 Informal Intervention

The Grievance Officer and club President and/or Committee Member will explain the member, guest or affiliated person's rights and responsibilities under ECDD's and Skate Australia's 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 bully 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 club's formal procedure should be followed.

1.6.3 Formal Complaints Procedure

The President and/or Grievance Officer may be obliged to carry out a formal investigation in relation to a complaint of bullying. A formal complaint can be made by the complainant in accordance with the processes outlined within the ECDD Rules and Regulations and ECDD Constitution, within 48 hours of the incident occurring.

Formal investigations may be conducted internally by the President and/or Grievance Officer or by Skate Australia, by using the guidelines in the ECDD Rules Regulations, ECDD Constitution and/or Skate Australia Member Protection Policy.

In the event that an allegation involves an ECDD committee member, President or the Grievance Officer, (i.e. as the alleged offender, victim, support person to the victim or alleged offender, or



witness), said member will be omitted from any involvement in the investigation and their position placed on hold pending the outcome of the investigation.

An investigation involves collecting information about the complaint and then making a finding based on the available information as to whether or not the alleged behaviour occurred. Once a finding is determined, 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 as per the ECDD Rules & Regulations and/or Skate Australia Member Protection Policy.

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

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

Records are retained and filed in a confidential and secure place. These records will be kept for a period of seven years. Under no circumstances will records be placed on the complainant's personnel file.

The findings as to whether bullying has occurred will be determined based on 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:

- Disciplinary action against the harasser in line with the procedures for policy violations set out in ECDD Rules and Regulations document;
- Official warnings that are noted in the respondent's file;
- Disciplinary action against the person who complained if there is strong evidence that the complaint was vexatious or malicious;
- Formal apologies and undertaking that the behaviour/s cease;
- Conciliation/mediation conducted by an impartial third party 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 investigator will:

- consult with the parties involved to monitor the situation and their wellbeing; and
- educate and remind all members of their obligations and responsibilities in relation to providing a club environment free from bullying.

Outcomes will depend upon factors such as:

- The severity and frequency of the bullying;



- The weight of the evidence;
- The wishes of the person who was bullied;
- Whether the accused bully could have been expected to know that such behaviour was a breach of policy;
- The level of contrition;
- Whether there has been any prior incidents or warnings.

If the investigation determines that bullying has occurred, the investigator must forward a summary of the complaint and the action taken to the club President. A copy may be placed in the respondent's personnel file.

The President will monitor the outcome to ensure that the offensive behaviour has ceased, and that neither party has been victimised. This may involve follow-up interviews.

If there has been any substantiated victimisation, disciplinary procedures will be followed.

1.6.4 Procedures for Dealing with Criminal Conduct

Some forms of severe bullying (physical attack or obscene phone calls, cyberbullying or abusive texts for example) may constitute criminal conduct. While ECDD is committed to treat most complaints about bullying at a club level as far as possible, this type of conduct is not suited to internal resolution. Such complaints will be treated by the criminal justice system.

Members should be advised of the option of police support or intervention, and will be supported by the club to do so. It is not the obligation or duty of the club to report such matters to the police on behalf of the complainant.

1.7 INTERNAL RELATED DOCUMENTS

ECDD Rules and Regulations

ECDD Code of Conduct

ECDD Constitution

ECDD Sexual Harassment and Victimisation Policy and procedure

ECDD Child Protection Policy

Skate Australia Member Protection Policy