

# YHA Bushwalking Victoria

## Code of Conduct<sup>1</sup>

### **Purpose**

The purpose of the code is to promote an environment where members engaged in the various activities of YHA Bushwalking Victoria (the “Club”) community demonstrate respect and consideration for each other at all times. This code of conduct is intended to set minimum standards of behaviour for all persons involved in our activities.

### **Preamble**

The Club has policies promoting behaviour that demonstrates respect and care for the environment in its minimal impact guidelines, available at <https://yhabush.org.au/about/minimal-impact-guidelines/>. The Code of Conduct outlined in this document focuses on the behaviour of individuals towards each other, acting either alone or together with others.

### **To whom does this code of conduct apply?**

For YHA Bushwalking Victoria:

- Club committee members
- Club Members (all categories)
- Activity participants
- Consultants /specialist officers appointed by the Club Committee

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The Club is established for adults (18 years of age or above). Children under 18 may only participate if accompanied by a parent or legal guardian, with the express consent of the Activity Leader.

With this qualification in mind, every person participating in the activities of the Club should strive to ensure:

- The inclusion of every person regardless of their age, gender or sexual orientation.
- The inclusion of every person regardless of their race, culture or religion.
- There are opportunities for people of all abilities to participate in their activities.
- They demonstrate respect and courtesy towards each other, their respective organisations and the broader community.
- There is a safe and inclusive environment for all.
- There is no violent or abusive behaviour.
- There is protection from sexual harassment or intimidation, including from cyber harassment (such as posting photographs or videos of Club activities online identifying other Club Members, Leaders or visitors without their prior consent).

Committee members and Activity Leaders:

- Exercise their powers, perform functions and duties honestly, in good faith and for a proper purpose, without seeking a benefit for themselves.
- Act with care and diligence.
- When acting in connection with Club activities, comply with all applicable Australian Laws.
- When acting in connection with Club activities, comply with any reasonable and lawful direction from the Club Committee.
- Maintain appropriate confidentiality of Club matters.
- Take reasonable steps to avoid any real or perceived conflicts of interest.
- Use Club resources in a proper manner for a proper purpose without unnecessary wastage.

### Responsibilities of the Club

It is the responsibility of the Club to:

- Publish and promote this code of conduct to all engaged in their respective activities.
- Deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner.

### Responsibilities of individuals

It is the responsibility of individuals bound by this code of conduct to:

- Make themselves aware of the standards of behaviour required.
- Be accountable for their behaviour, including their level of fitness and adequacy of equipment. Activity leaders assess the fitness, experience and adequacy of equipment of participants and will refuse participation where these are not assessed as adequate.
- Follow the Club's procedures if they want to make a complaint or report a breach of the code of conduct.

### Complaints procedures

The Club's complaints procedure follows the principles of natural justice which require that:

- Both complainant and the alleged offender know the full details of what is being said about them and have the opportunity to respond.
- All relevant information must be considered.
- The decision makers must be unbiased, fair and just.
- The penalties imposed must be fair.

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### **Informal Approaches**

Wherever possible, a person who believes they have been affected by a breach of the code should first talk to the person or people involved to try to sort out the problem, before making a formal complaint.

If the person affected is not able to talk to the person or people involved, they may wish to talk confidentially with an appropriate Club Committee member for advice and support. This person may provide advice or support the affected person in discussions with those whose behaviour is causing concern. The discussions and advice should be treated as confidential by all involved. The discussions and advice may be sufficient to resolve the matter to the satisfaction of the affected person.

The outcome from an informal approach may be that the complainant decides there is no problem or that the problem is minor and does not need further attention.

If the complainant feels that the problem has not been properly addressed or is continuing, a formal approach may be initiated.

### **Formal Approaches**

A person may make a formal complaint about behaviour that appears to breach the code of conduct. The attached flowchart show the complaints procedure.

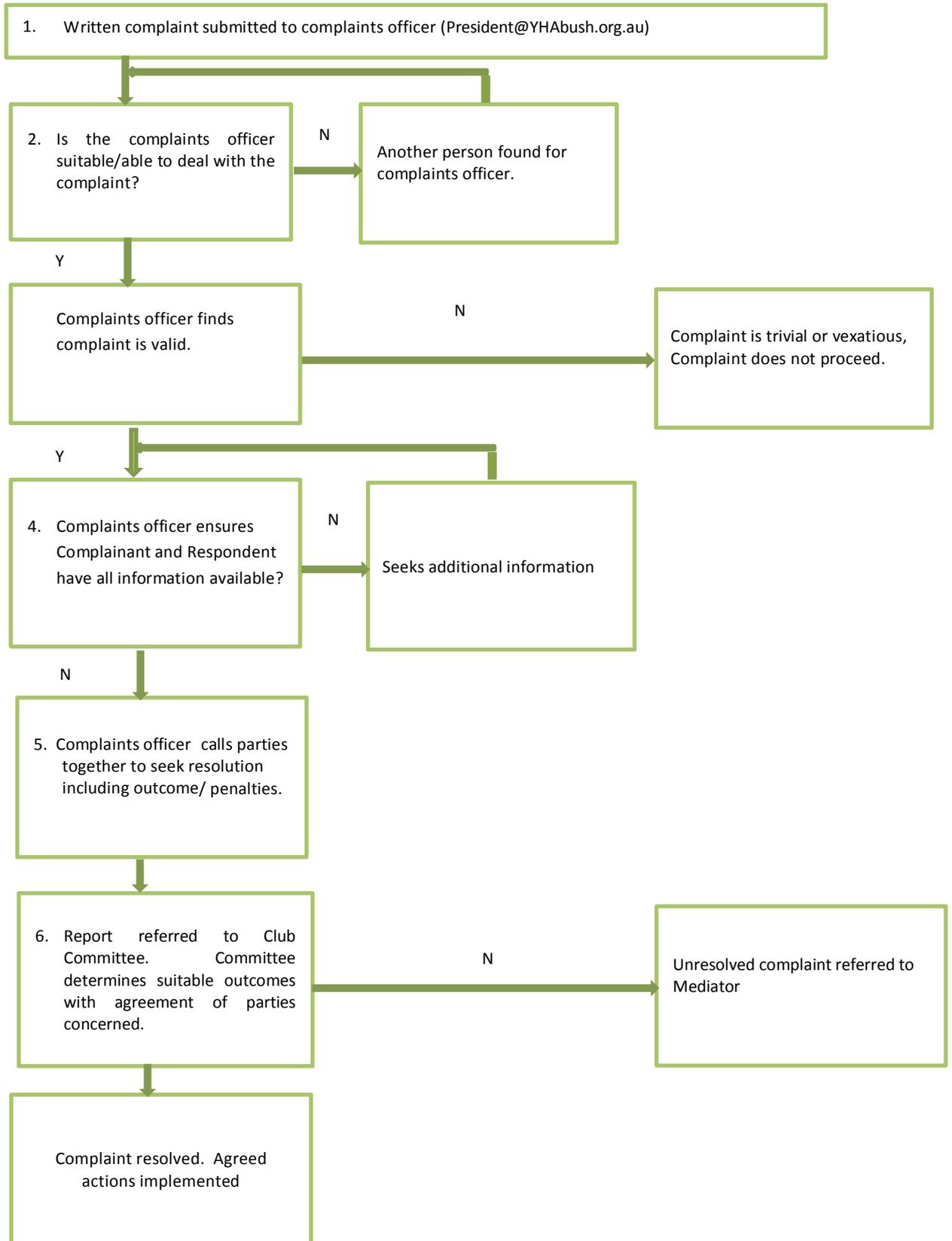
### **Sanctions for Breaches of the Code of Conduct**

For an individual:

- Written apology by the offender to those affected by the breach.
- Letter of reprimand from the Committee.
- Period of suspension from Club activities.
- Removal of person from a specific role or position on the Committee.
- Expulsion from Club.

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## Complaint Procedure



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### Notes to Complaint Procedure for Affiliated Club

1. The complaint is owned by the complainant and can be withdrawn at any time. All materials relating to the complaint are treated as confidential and held securely.
2. The complaints officer is a person, usually a committee member, authorised by the club's committee to handle the complaint in accordance with the complaints procedure. Complaints are notified in the first instance via the [President@YHAbush.org.au](mailto:President@YHAbush.org.au) email. The complaints officer must not handle a complaint which gives rise to a conflict of interest for that person. In these circumstances, the committee should authorise another committee member or person to act as complaints officer. The complaints officer must also decide whether to refer the complaint to a more appropriate authority (eg the police).
3. The complaints officer must decide whether the nature and seriousness of the alleged offending behaviour warrant a formal resolution process. Vexatious or trivial complaints should not be pursued.
4. The complaints officer must advise the respondent of the complaint and provide all details and information concerning the complaint. The respondent must be given an opportunity to provide his or her account of the alleged behaviour giving rise to the complaint. The complaints officer must establish whether the facts of the complaint are in dispute. The complaints officer may decide to seek further information about the behaviour and circumstances of the complaint.
5. The complaints officer should work with both parties to seek a resolution to the dispute including actions to be taken and sanctions to be applied.
6. The complaints officer must provide a written report to the committee stating the extent to which the complaint has been upheld and the actions and sanctions, if any, recommended.
7. Based on the complaints officer's report, the committee should seek to determine suitable outcomes in consultation with the complainant and respondent.
8. Where either the complainant or respondent does not accept the committee's findings and recommendations, the complaint may be referred by the committee to a mediator appointed by PBushwalking Victoria for resolution. Costs involved by the appointment of a mediator are shared between the parties.
9. Both complainant and respondent must receive written advice of the findings of the committee and how any sanctions to be applied will be implemented.