



St Ives AFL Tolerance Policy

Major Sponsor



1 Commitment

- 1.1 The St Ives AFL Club is committed to an environment which promotes racial and religious tolerance by prohibiting certain conduct and providing a means of redress for victims of racial and religious vilification and/or racial discrimination.
- 1.2 The Club is bound by the relevant state legislation and the Racial Discrimination Act. This Policy is consistent with the Australian Football League's own Racial and Religious Tolerance Policy. This Policy is not in substitution of the legislation.
- 1.3 The Club will ensure that this Policy is made available to club members.
- 1.4 Nothing in this Policy prevents a person lodging a complaint in relation to racial and religious vilification and/or racial discrimination under the legislation. In the event a complaint is made under this policy the Club shall ensure that the parties are informed of their rights.

2 Prohibited Conduct

2.1 Racial and Religious Vilification

- 2.1.1 No person in his/her capacity as a spectator or participant in the League in the course of carrying out his/her duties or functions as or incidental to being a participant in the League shall engage in conduct that offends, humiliates, intimidates, ridicules, incites, threatens, disparages, vilifies or insults another person on the basis of that person's race, religion, colour, descent or national or ethnic origin.

2.2 Serious Racial and Religious Vilification

- 2.2.1 No person in his/her capacity as a spectator or participant in the Club in the course of carrying out his/her duties of functions as or incidental to being a participant in the Club shall intentionally engage in conduct that he/she knows is likely to incite hatred against another person, or threaten physical harm or incite hatred in others to cause physical harm to a person or to a person's property because of that person's race, religion, colour, descent or national or ethnic origin.

2.3 Racial and Religious discrimination

- 2.3.1 No person in his/her capacity as a spectator or participant in the Club in the course of carrying out his/her duties or functions as or incidental to being a participant in the Club shall engage in conduct that discriminates, directly or indirectly against another person on the basis of that person's race, religion, colour, descent or national or ethnic origin.

2.4 Victimisation

- 2.4.1 No person in his/her capacity as a spectator or participant in the Club in the course of carrying out his/her duties or functions as or incidental to being a participant in the Club shall victimise another person.
- 2.4.2 A person is considered to victimise another person (the victim) if:
- (a) the person subjects or threatens to subject the victim to any detriment because the victim (or a person associated with the victim) intends to or has lodged a complaint in contravention of this Policy; or
 - (b) the person assists, requests, induces, encourages or authorises another person to subject the victim to any detriment because the victim (or a person associated with the victim) intends to or has lodged a complaint in contravention of this Policy.

3 Authorised Persons

- 3.1 The Club authorises the **VP Club Operations** as the clubs **Complaints Officer** to ensure that any breach of this Policy is responded to in an equitable and prompt manner.
- 3.2 The President of the Club is the senior decision-maker in the Club's Complaints Process. Therefore, should the President be absent for a significant period, he/she must nominate a person to act on his/her behalf should the process need to be enacted.

4 Confidentiality and Records

- 4.1 Confidentiality must be maintained throughout the complaints process. All parties to a complaint, the President (or Delegate), the Club's Complaints Officer, any witnesses and the Conciliator must all agree, in writing, to the maintenance of confidentiality. No person involved in the complaints process shall publicly comment on any aspect of the complaints process without the prior written agreement of all parties.
- 4.2 The Club shall ensure that any documents relating to a complaint shall remain confidential and be retained for 7 years from the date that the complaint is made.

5 Inter club Breach of the Policy

In the event that it is alleged that a spectator or participant from another Club has contravened this Policy:

- 5.1 An Umpire, spectator or participant of the Club may by 5.00pm on the first working day following the day on which the contravention is alleged to have occurred, lodge a complaint in writing with Complaint's Officer, the President, or the Secretary of the Club;
- 5.2 The Complaints Officer, after discussion with the complainant, may decide to either lodge a complaint with the Australian Football League and have it dealt with down the path as per the by-laws, or discuss the incident and potential actions with the opposing club president.

6 Intra Club Breach of the Policy

- 6.1 In the event that it is alleged that a participant of the Club has contravened this Policy an umpire, spectator or participant may by 5.00pm on the first working day following the day on which the contravention is alleged to have occurred, lodge a complaint in writing with the Club's Complaints Officer, the President, or the Secretary.

7 Management of Complaints

The Club's Complaints Officer shall:

- 7.1 Make every effort to ensure that:
 - 7.1.1 Confidentiality is maintained at all times during the complaints process and that the outcome of the complaints process remains confidential;
 - 7.1.2 Inform the person alleged to have contravened the Policy (the respondent) of the complaint and provide the respondent with an opportunity to respond to it;
 - 7.1.3 Inform only the President of the Club or Nominee or Club Secretary, that a Complaint has been received by the Complaints Officer;
 - 7.1.4 Make reasonable efforts to obtain written statements from any witnesses identified by both parties to the complaint;
 - 7.1.5 Where available, obtain any other evidence;
 - 7.1.6 Arrange for the complaint to be conciliated, by an independent conciliator agreed upon by both parties;
 - 7.1.7 Take all steps necessary for the complaint to be conciliated within 5 working days from the day on which the incident is alleged to have occurred;
 - 7.1.8 Refer the complaint to the Australian Football League's Tribunal:
 - 1 Directly when a respondent has previously taken part in conciliation as a respondent of a complaint;
 - 2 When both the Club's Complaints Officer and President have determined that the complaint was lacking in substance and was made vexatiously;
 - 3 When both the Club's Complaints Officer and President determine that under the relevant sections of the state legislation the complaint could be considered as "serious", he/she will take all steps necessary for the complaint to be referred to the League's Tribunal ASAP;
- 7.2 Any time limit referred to in this Policy may be extended by the Club if, after being provided with written reasons for such extension, in the opinion of the President of the Club it is just and equitable to do so;
- 7.3 Where a matter is resolved by conciliation the only public statement that shall be made shall be agreed to by both parties to the complaint and the Club's President and that the terms of any settlement are finalised to the satisfaction of the complainant and respondent and signed by the parties and the conciliator.