



# Cure Boating Club Preventing Bullying and Harassment Policy

## Commitment to Te Tiriti o Waitangi

Cure Boating Club recognises Te Tiriti o Waitangi as Aotearoa New Zealand's founding document. Cure Boating Club is committed to upholding the mana of Te Tiriti o Waitangi and the principles of Partnership, Protection and Participation.

## Values

Cure Boating Club values the diversity of the people involved in its activities.

Cure Boating Club aims to provide a safe and enjoyable environment for everyone involved in its activities. People are expected to show respect and courtesy in their interactions with others.

Cure Boating Club recognises those involved in its activities cannot enjoy themselves or perform to the best of their abilities if they are being bullied and/or harassed. It is aware bullying and harassment affects the health, safety and wellbeing of people.

Cure Boating Club will not tolerate bullying and harassment (sexual, racial or otherwise) of those involved in its activities.

## Purpose

This policy aims to:

- support an environment where all people are treated with dignity, respect and courtesy, free from bullying and harassment
- provide a process to deal with bullying and harassment by or toward those involved in Cure Boating Club.

## Application

This policy applies to anyone involved in Cure Boating Club and its community can raise a concern about bullying and/or harassment towards them or another person. We encourage people to speak up for themselves and for other people. If you see it, call it out.

## Bullying – what is bullying?

Bullying is repeated, unreasonable behaviour directed towards a person or a group of people that can have a significant impact on them. It may create a risk to their physical and/or mental health and safety. The person or people acting in this way may not intend to cause harm or may not see their behaviour as bullying. The focus should be on stopping behaviour that is unreasonable and makes people feel bullied. Repeated behaviour can involve a range of actions over time. Taken together over time, they can add up and undermine a person's self-confidence or make them feel unsafe.

A single incident of unreasonable behaviour is not considered bullying, but it could escalate and should not be ignored. Unreasonable behaviour means actions or behaviour that is not justified in the circumstances.

**Where the bullying or harassment involves school rower/s at a school competition/regatta, the matter falls under the school's jurisdiction and should be referred to the Teacher in Charge.**

## Harassment

Sexual harassment and racial harassment are defined in the Human Rights Act 1993 (and Employment Relations Act 2000). They are unlawful ways of treating other people. We will take any allegations of harassment seriously as it has no place in our club. Behaviour that does not reach the legal standard of sexual harassment or racial harassment may still be inappropriate and hurtful and will be addressed. Cure Boating Club is committed to ensuring everyone is safe and treated respectfully.

Sexual harassment means any form of sexual attention or behaviour that is unwanted and offensive to a person, whether it is a serious one-off incident or less serious behaviour that is repeated. Sexual harassment can be using words, language, pictures or physical behaviour that is sexual, unwanted and offensive to the person receiving it such as persistently asking someone out when they make it clear they are not interested, intrusive questions about sex, touching or sexual assault (rape). Someone who is experiencing unwanted sexual behaviour might find it difficult to ask the person to stop or tell them it is offensive.

Mutually agreed sexual behaviour between consenting adults is not unlawful and will not breach this policy.

## Racial harassment

Racial harassment occurs when a person is subjected, for reasons of race, colour, nationality or ethnic origin to behaviour that might reasonably be perceived by the receiver to be offensive or unwelcome.

People might be feeling uncomfortable or unsafe, even if some people laugh or feel they can't call the behaviour out. It is up to everyone in activity/sport to take personal responsibility for stopping this behaviour by calling it out if they see it and also taking it on board if someone calls them on it.

It is not the responsibility of people who feel they are being racially abused to correct the behaviour, but they can call it out if they feel safe and comfortable.

## What isn't bullying or harassment?

Occasional differences of opinion, conflicts and problems in relationships are part of life and do not necessarily represent bullying or harassment. Fair management, coaching, managing under-performance, or other legitimate actions in line with Cure Boating Club policies and procedures are not harassment or bullying.

These are some examples of behaviours that are usually not seen as harassment or bullying:

- occasional instances of forgetfulness, rudeness or tactlessness
- friendly, occasional banter, light-hearted exchanges, non-sexual mutually acceptable jokes and compliments
- issuing reasonable instructions, in a reasonable way, and expecting them to be carried out
- warning or disciplining someone in line with Cure Boating Club policies
- insisting on high standards of performance; legitimate criticisms about activity/sporting or work performance
- giving honest feedback and requiring justified performance improvement
- expressing opinions that are different from others
- free and frank discussion about issues or concerns in Cure Boating Club
- a single incident of low-level unreasonable behaviour.

## Informal resolution

Any person who feels they or someone else is being bullied or harassed can:

- discuss the situation with family/whānau/other support person
- following that discussion, decide how they would like to address the behaviour.

People are always encouraged to raise concerns directly with the person who has behaved in a way causing concern but only if that feels safe and likely to be helpful. Otherwise, ask a Cure Official or family/ whānau member to help raise the issue and seek a constructive conversation is a good idea.

Both parties involved should have a chance to be heard respectfully and feel safe to be able to say what they want to say, through both informal and formal processes.

It is important any person involved in an informal resolution process is supported to feel safe in the process. Anyone involved can have family/whānau support throughout the process. If anyone changes their mind about being involved the process that must be respected.

### Making a formal complaint

People who want to make a formal complaint about behaviour they are experiencing, or they see happening to anyone else should follow the complaints procedure outlined in Appendix A. People can also make a complaint about sexual or racial harassment to the Human Rights Commissioner. If behaviour is sexual or indecent assault, violent, threatening or cyberbullying, people can complain to the New Zealand Police.

Anyone in a position of authority in Cure Boating Club who receives a complaint or becomes aware of a serious issue of bullying or harassment needs to take steps to support the people involved, ensure everyone is safe and make sure the issue is addressed by the appropriate person, committee member, or school representative.

File location: Master held in Club Safety Policies and Procedures folder. Copy on Club website.

Scheduled review date: September 2023

**Also refer to:** Cure Boating Club Member Protection Policy

## Formal complaints procedure

### What do I need to do?

Formal complaints should ideally be made in writing, as soon as possible after the event(s). Where this is not possible, the complainant should be helped by the person receiving the verbal complaint to put it in writing. The attached Complaints Form may be helpful (**see Appendix B**).

### Who do I make the complaint to?

If the committee member or official that the complaint would usually be made to is involved in the issue or has a conflict of interest, the complaint should be made or passed to another suitable person in authority.

The complaint can be raised with any member of the committee the complainant feels comfortable talking to.

A sub-committee of 3 will be formed by that committee member, ensuring the most appropriate people are involved to a point of resolution. The sub-committee will include the President if there is not a conflict of interest.

### How will I be treated?

A person making a formal complaint can expect to be treated in line with the following principles:

#### Fairness:

Every person dealing with a complaint will remain neutral and listen to both sides of the story. Any action arising from a complaint will be reasonable in proportion to the seriousness of the complaint.

#### Respect:

Every person involved in a complaint will be treated and is expected to act towards others with respect, dignity and in a culturally appropriate way.

#### Communication:

Every person involved in a complaint will be regularly kept up to date on progress and the outcome.

### Confidentiality:

Information relating to a complaint will not be shared with any other person aside from the sub-committee without consent unless fair process or the law require the information to be shared with a person or an authority. This will be discussed with the person providing the information.

### Restoration:

The goals of the complaints process are to resolve the particular complaint, restore people's mana and maintain positive relationships.

### Acknowledgement:

Every person involved in a complaint will be asked to recognise the importance of acknowledging any fault or mistakes, the hurt this has done and if necessary, give a genuine apology.

### Support:

Both the person making the complaint and person complained about should have access to support throughout a complaint process. Everyone involved in a process may be accompanied by chosen family/whānau and/or other support people.

## What is the process for resolving my complaint?

The person responsible for dealing with the complaint (the decision maker) must acknowledge receipt of the complaint as soon as it is received. It is always best to send a written acknowledgement to the person making the complaint, so they know their complaint has been received and is being taken seriously.

An initial contact should be made to discuss the next steps, support and any child welfare or safety concerns the complainant has. The complainant should be asked how they would like their complaint addressed, the process they would prefer and what outcome they are seeking.

It is important that the person who receives the complaint explains to the complainant that to resolve the complaint fairly to everyone involved, they will usually need to tell the person of the complaint made against them, give them all relevant information and discuss a process for resolving the complaint.

If the person is under 18, their parent/guardian must also be notified. If the complainant is not willing to have their complaint or identity shared with the person concerned, other ways to resolve the complaint will have to be discussed.

## Appendix B:

# Complaints Form

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**Contact details:**

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

Age:  Under 18     18 Years or over

**If you are making a complaint for someone else:**

Name of person complaining on behalf of: \_\_\_\_\_

Contact details of person complaining on behalf of: \_\_\_\_\_

**Complainant's role/status (highlight which applies):**

Participant                       Coach/Assistant Coach                       Administrator (Volunteer)                       Official

Other Volunteer (provide details) \_\_\_\_\_

Parent                       Supporter                       Support Person

Other (provide details) \_\_\_\_\_

**Details of person complained about:**

Name: \_\_\_\_\_

Club/Organisation: \_\_\_\_\_

Age:  Under 18                       18 Years or over

**Complainant's role/status (highlight which applies):**

Athlete                       Coach/Assistant Coach                       Administrator (Volunteer)                       Official

Other Volunteer (provide details) \_\_\_\_\_

Parent                       Spectator                       Support Person

Other (provide details) \_\_\_\_\_

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**Nature of complaint:**

Formal       Informal

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**Nature of complaint (tick as many as relevant):**

Bullying       Sexual Harassment       Verbal Abuse       Discrimination       Racism

Physical abuse/Assault

**Date(s) of the incident(s):**

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**Location of incident(s):**

Competition       Training       Other (provide details)

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**Description of incident(s)/complaint (use additional sheets if required):**

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**Details of any witnesses:**

Name

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Contact Details:

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Name

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Contact Details:

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Name

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Contact Details:

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**Action taken so far (if any) to attempt to resolve matter, or ensure safety (use additional sheets if required):**

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**\*If relevant: Agency contacted (including the Police):**

Who::

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When:

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**Complainant:**

Name:

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Signature:

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Date:

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***This record and any other documentation must be kept in a safe place.***