Mazda MX5 Club of NSW INC.

Anti-Discrimination, Anti-Harassment and Anti-Bullying Policy

Policy Statement:

The Mazda MX-5 Club ("the Club", "our", "us", "we") is committed to providing an environment that is free from discrimination, harassment, and bullying for all our members, volunteers, and guests of the Club. The Committee is further committed to a harassment-free experience where everyone is free of racial, gender, age, disability, ethnic or personal harassment, and where everyone is treated with respect, dignity and equality.

Scope:

This policy applies to all members, volunteers and guests of the Club. It covers all forms of discrimination and harassment that occur at all events, either organized or sanctioned by the Club.

While the Committee recognizes the rights of members and guests to participate in an environment free of harassment, all members, guests and the Committee will work jointly to achieve that goal. The Committee may discipline any member or guest who engages in any form of harassment.

Definition:

Discrimination, harassment and bullying can take many forms including but not limited to:

Discrimination: In NSW and ACT, unlawful discrimination is when a person is treated less favourably because of their disability, sex, race, age, marital or domestic status, sexual orientation, gender identity, physical size or weight.

Discrimination includes both direct and indirect discrimination:

- *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 purpose of determining discrimination, the offender's awareness and motive are irrelevant.

Harassment: Any unwanted conduct that offends, humiliates, or intimidates an individual, including but not limited to behaviour related to a protected characteristic such as race, gender, sexual orientation, disability, religion, or age.

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 involves 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.

Examples of racial, ethnic or gender harassment may manifest itself by:

- Inappropriate touching, suggestive or abusive remarks of a sexual nature, compromising invitations, sexual assault, coarse language of a sexual nature, displaying pornographic material or seeking sexual favours.
- Unwelcome remarks, jokes, innuendos or taunts of sexual, racial or an ethnic nature
- Displaying materials, pictures or graffiti that degrades one's race, ethnic background or gender.
- Excluding a person from Club activities because of their race, ethnic background or gender.
- Insulting gestures, jokes, disparaging written material based on race, ethnic background or gender that causes embarrassment or humiliation

Personal harassment is conduct or comments which are intimidating, threatening, demeaning or abusive and is behaviour which is known or ought reasonably to be known as unwelcome. Personal harassment takes many forms and can be a source of great anxiety to an individual. It may be so serious and unrelenting that the person who is being, or has been harassed feels it necessary to terminate their membership of the Club. Harassment has the impact of creating an environment that is hostile, and affects the integrity and dignity of and limits individuals in their involvement with the Mazda MX-5 Club of NSW.

Examples of personal harassment can include, but are not limited to:

- ostracism;
- public reprimand, ridicule, sarcasm or humiliation;
- constant criticism or trivializing of achievements;
- bullying, which can be defined as offensive, malicious, intimidating, insulting or humiliating behaviour, often associated with the misuse of power or position.

Some of the examples outlined may cause mild irritation if occurring only once, but if repeated, become personal harassment. Other examples are very clearly harassment even if they occur only once. All are inappropriate and unacceptable.

Bullying: Repeated unreasonable behaviour directed towards a person or group of people that creates a risk to health and wellbeing, both physical and psychological. This may include verbal abuse, intimidation, exclusion, or spreading rumours.

Bullying includes cyber-bulling which occurs through the use of technology i.e. new technologies and communications tools, such as smart phones and social networking websites.

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

"Unreasonable behaviour" means behaviour that a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten the other person.

"Behaviour" includes actions of individuals or a group, and may involve victimising, humiliating, undermining, punishing or threatening.

"Risk to health and safety" includes risk to the mental or physical health of the person.

The Committee of the Mazda MX-5 Club of NSW will take complaints of harassment seriously in regard to members and guests.

Complaints of discrimination or harassment shall be handled so as to protect the confidentiality of those involved.

Procedures for Harassment Complaints

Complaints of harassment should be first attempted to be resolved between the complainant and the respondent/accused. If necessary, a mediator may be appointed by the President or Vice-President or Secretary, whoever is not involved.

Reporting Procedure:

Complaints that cannot be resolved will be dealt with in the following manner:

a) Members and guests can refer the complaint directly to their Chapter Convenor, the Motorsport Officer or the Committee. If the respondent is a Committee member, the complaint shall be referred to the President or Vice-President or Secretary, whoever is not involved.

b) In the case of harassment, the member or guest being harassed has the right to discontinue contact with the alleged harasser, without incurring any penalty, pending determination of the complaint.

c) Complaints under this policy will be handled with all possible confidentiality and dispatch.

(i) Complaints will be investigated by a representative appointed by the President or Vice-President or Secretary, as the case may be, and a representative of the Committee. This two-person committee shall select from amongst themselves a chairperson who will oversee the investigation and prepare a final report to the Committee.

(ii) The Committee as referred to in subsection c)(i) shall attempt to investigate the complaint and prepare its report, with any recommendation(s) as quickly as possible. The Committee will assess the report and action as defined in the Club's Constitution section 9.

d) An alleged offender (respondent) under this policy is entitled to information and support as defined in the Club's Constitution section 9.

Filing a Complaint:

Complaints may be initiated verbally, but must be followed up with a written complaint which shall include the following information:

a) the identity of the complainant and respondent;

b) a detailed description of the occurrence(s) including the time, date and location of the incident(s) along with the names of any other persons involved and witnesses (name, contact number, relationship to individual filing the complaint)

c) The complainant's signature, date and the name of the person receiving the complaint.

Timeframes:

- The Committee will acknowledge receipt of the allegation/complaint within 5 working days after being informed of the incident.
- If an investigation is required, this process may take longer with complex cases, however in most cases, should be completed within 4 weeks.

Review and Revision of this Policy:

This policy will be reviewed regularly by the Committee to ensure its effectiveness and compliance with relevant laws and regulations.