



## **Bushwalking Victoria Inc.**

### **Code of Conduct**

#### **Purpose**

The purpose of the code is to promote an environment where members engaged in the various activities of the Bushwalking Victoria 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 the activities of Bushwalking Victoria and its affiliated member clubs.

#### **Preamble**

Bushwalking Victoria has comprehensive policies promoting behaviour which demonstrates respect and care for the environment. These policies and guidelines are found in the publications 'WalkSafe' and 'Tread Softly - the bushwalker's minimum impact code'. The Code of Conduct outlined in this document focuses on the behaviour of individuals towards each other, acting either alone or together with others.

The Code of Conduct needs to be applied in the context of a club's constitution, purposes and activities. Many clubs are established for a particular group in society, such as adults not children, women only, or people of a particular church or profession. Clubs also conduct a range of activities, some of which require specific skills or abilities, and restrict participation to those who possess the necessary skills. Clubs are entitled to restrict membership and participation in these ways.

The Code of Conduct ensures that the only limits placed on membership and participation in the activities of Bushwalking Victoria and its member clubs are those permitted by their constitutions and rules. Apart from these considerations, the Code of Conduct should guide the behaviour of the Bushwalking Victoria community at all times.

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

For Bushwalking Victoria:

- Members of the Board of Management
- Employees
- Members of standing or special purpose committees
- Consultants /specialist officers appointed by the Board of Management
- Individual members

For affiliated bushwalking clubs:

- Members (all categories)
- Office bearers and committee members

## **Code of Conduct**

Every person participating in the activities of Bushwalking Victoria and its affiliated clubs 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 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.

## **Breaches of the Code**

The following behaviours are considered to be breaches of the Code:

- Violent or abusive behaviour towards another person
- Vilification of any kind towards another person
- Discrimination against another person based on their age, gender or sexual orientation
- Discrimination against another person based on their race, culture, religion or any other irrelevant personal characteristic
- Victimisation of another person for exercising their rights through this Code of Conduct
- Failure to maintain a safe environment free from violence, abuse, discrimination and harassment.

## **Responsibilities of the organisations**

It is the responsibility of Bushwalking Victoria and each affiliated club to:

- Adopt, implement and comply with this code of conduct
- Make such amendments to their constitutions, rules or policies necessary for this code of conduct to be applied and upheld
- 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
- Follow their organisation's procedures if they want to make a complaint or report a breach of the code of conduct.

## **Complaints procedures**

Each organisation needs a complaints/grievance process to deal with breaches of the code of conduct. The complaints procedure must follow 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.

## **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 person in their organisation for advice and support. For Bushwalking Victoria, this may be a member of the Board or the Convener of a committee. For an affiliated club it may be a committee member. 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 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 flowcharts show proposed complaints procedures for both BWV and member clubs

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

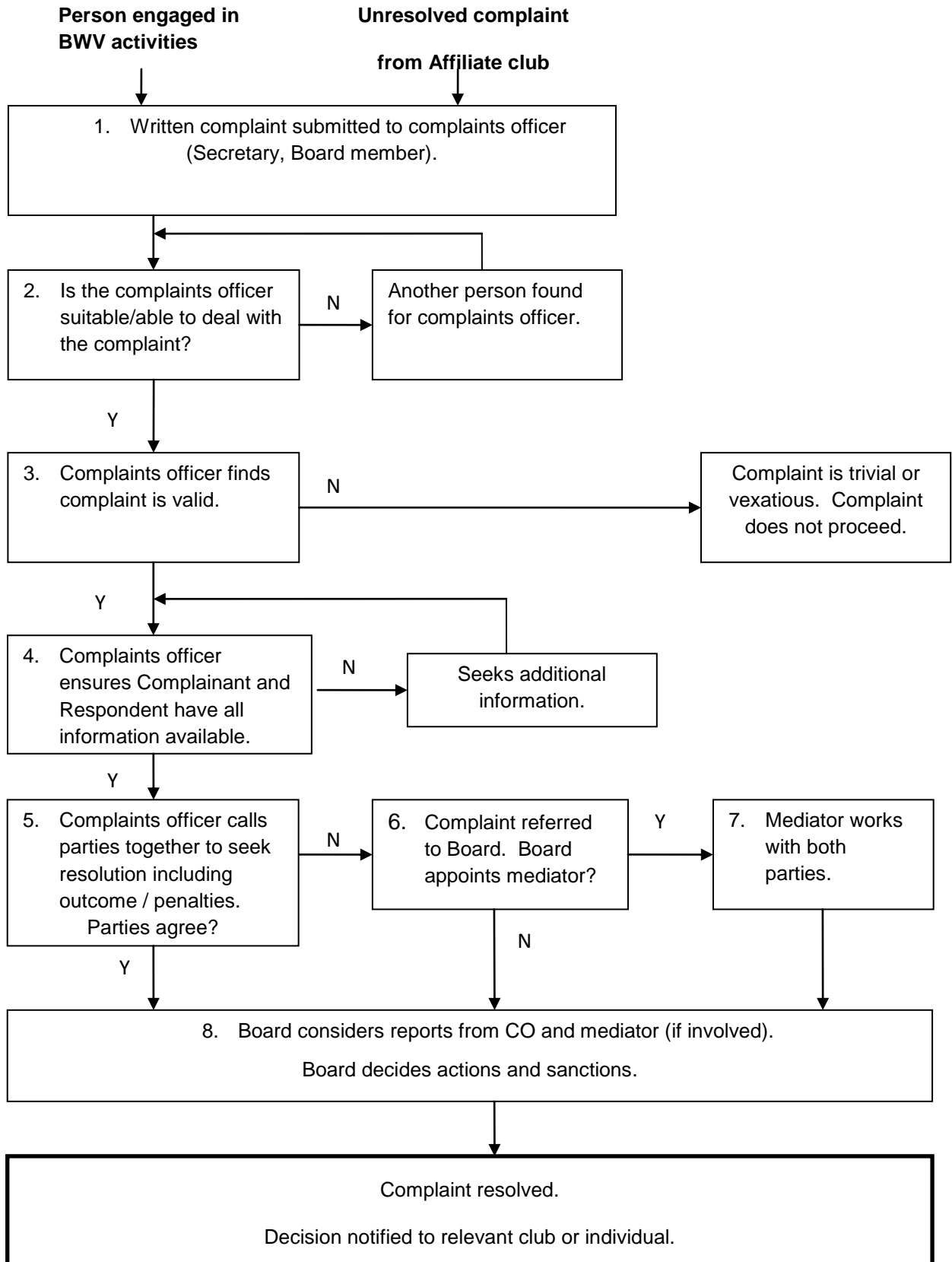
For an individual:

- Written apology by the offender to those affected by the breach
- Letter of reprimand from the Board of BWV/committee
- Period of suspension from BWV/club activities
- Removal of person from a specific role or position on committee
- Expulsion from BWV or affiliated club

For an affiliated club:

- Letter of reprimand from the Board
- Period of suspension from BWV.

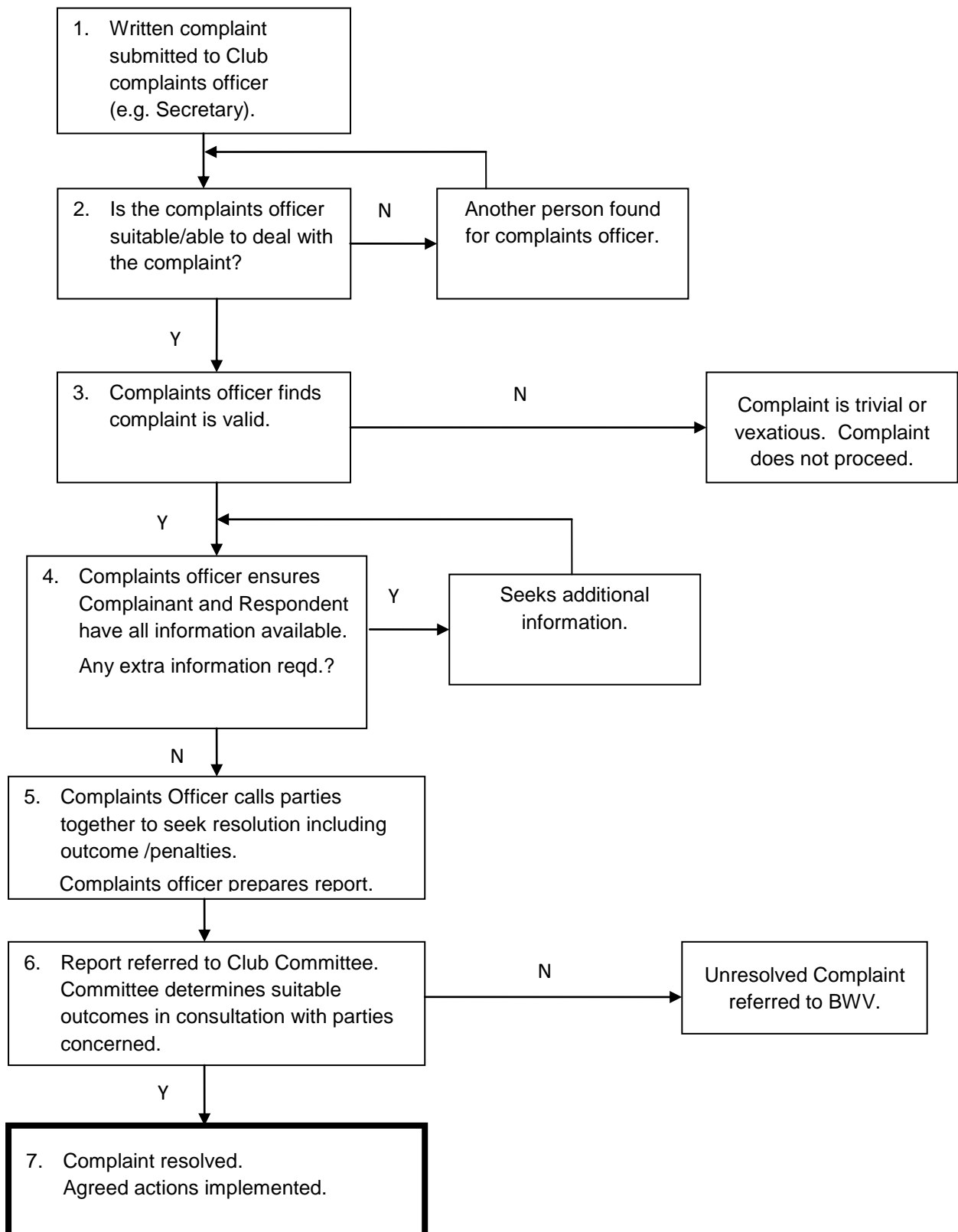
## Complaint Procedure for BWV



### **Notes to Complaints Procedure for BWV**

1. The complaint is owned by the complainant and can be withdrawn at any time. All materials relating to the complaint must be treated as confidential and held securely by BWV.
2. The complaints officer is a person, usually a Board member, authorised by the BWV Board to handle the complaint in accordance with the complaints procedure.  
The complaints officer must not handle a complaint which gives rise to a conflict of interest for that person. In these circumstances, the Board should authorise another Board member to act as complaints officer.  
The complaints officer must also decide whether to refer the complaint to a more appropriate authority (e.g. the police).
3. The complaints officer must decide whether the nature and seriousness of the alleged offending behaviour warrant a formal resolution process. If the Board agrees a complaint is vexatious or trivial, it 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.  
The complaints officer must provide a written report to the Board stating the extent to which the complaint has been upheld and the actions and sanctions, if any, recommended. The report should also state whether the complainant and the respondent agree with the report.
6. Where the complaints officer's findings and recommendations are not accepted by either the complainant or the respondent, the BWV Board may determine to appoint an external mediator. The mediator would be someone who, in the opinion of the Board, was appropriately qualified and experienced to act in this role.
7. The mediator would work with those concerned to seek a resolution satisfactory to all. The mediator would also submit a written report to the Board with recommendations for action and noting whether agreement had been reached with the complainant and respondent.
8. The Board is ultimately responsible for the decision about the complaint. It may decide to accept the reports of either the complaints officer or the mediator in their entirety. Alternatively they may wish to vary the recommendations for reasons of policy or consistency of decisions.
9. Both complainant and respondent must receive written advice of the findings of the Board and how any sanctions to be applied will be implemented. In the case of a complaint referred from an affiliated club, the club committee must receive the same advice.

## Complaint Procedure for Affiliated Club



### **Notes to Complaint Procedure for Affiliated Club**

1. The complaint is owned by the complainant and be withdrawn at any time. All materials relating to the complaint must be treated as confidential and held securely by the affiliated club.
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. 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 to act as complaints officer.  
The complaints officer must also decide whether to refer the complaint to a more appropriate authority (e.g. the police).
3. The complaints officer must decide whether the nature and seriousness of the alleged offending behaviour warrant a formal resolution process. If the club committee agrees that a complaint is vexatious or trivial, it 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.  
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.
6. Based on the complaints officer's report, the committee should seek to determine suitable outcomes in consultation with the complainant and respondent.  
Where either the complainant or respondent do not accept the committee's findings and recommendations, the complaint may be referred to BWV for resolution.
7. Both complainant and respondent must receive written advice of the findings of the committee and how any sanctions to be applied will be implemented.