



# Code of Conduct

## Introduction

The University of Queensland Mountain Club Inc. (hereafter referred to as “UQMC”, “we” or “club”) is committed to providing an avenue through which its members can safely participate in and enjoy outdoor activities and events, with a particular focus on rock climbing and hiking.

## University of Queensland Mountain Club’s Position

The main objective of the UQMC Code of Conduct (“policy”) is to maintain responsible behaviour and the making of informed decisions by members and other participants in the club. It outlines our commitment to a person’s right to be treated with respect and dignity, and to be safe and protected from discrimination, harassment, and abuse. Our policy informs everyone involved in our club of their legal and ethical rights and responsibilities and the standards of behaviour which are expected of them.

## **Code of Conduct Policy**

UQMC is committed to:

1. Adopt, implement and comply with this policy;
2. Ensure that this policy is enforceable;
3. Publish, distribute and promote this policy and the consequences of any breaches of this policy;
4. Promote and model appropriate standards of behaviour at all times;
5. Deal with any complaints made under this policy in an appropriate manner;
6. Deal with any breaches of this policy in an appropriate manner;
7. Recognise and enforce any penalty imposed under this policy;
8. Ensure that a copy of this policy is available or accessible to all people and organisations to whom this policy applies;
9. Seek advice from and refer serious issues to UQ Sport, to which our club is affiliated.

Serious issues include unlawful behaviour which involves or could lead to significant harm and includes criminal behaviour (e.g., physical assault, sexual assault) and any other issues that our state or national bodies request to be referred to them.

Everyone associated with our club must:

- Make themselves aware of the contents of this policy;
- Comply with all relevant provisions of this policy, including the standards of behaviour outlined in this policy;
- Treat other people with respect;
- Be responsible and accountable for their behaviour;
- Follow the guidelines outlined in this policy if they wish to make a complaint or report a concern about possible discrimination, harassment, bullying or other inappropriate behaviour; and
- Comply with any decisions and/or disciplinary measures imposed under this policy.

## Code of Conduct Procedure

UQMC is committed to providing an environment in which people are treated fairly and equitably and that, as far as practicable, is free from all forms of discrimination, harassment, and bullying.

We recognise that people may be negatively impacted or unable to perform at their best if they are treated unfairly, discriminated against, harassed, or bullied.

### Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination laws.

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

Harassment is any unwelcome conduct, verbal or physical, which intimidates, offends, or humiliates another person on the basis of one or more of the personal characteristics protected by State or Federal anti-discrimination legislation.

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.

Abuse of power is another type of harassment. It involves an individual taking advantage of a power imbalance to the detriment of another individual or group.

Every person is covered by the anti-discrimination laws that apply in their State as well as the Federal anti-discrimination laws.

The following is a list of all the personal characteristics that are unlawful to discriminate on the basis of throughout Australia:

- gender;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;

- national extraction or social origin;
- marital status, relationship status, identity of spouse or domestic partner;
- pregnancy, potential pregnancy, breastfeeding;
- family or carer responsibilities, status as a parent or carer;
- age;
- religion, religious beliefs or activities;
- political beliefs, activities or ideology;
- lawful sexual activity;
- sexual orientation and gender identity;
- profession, trade, occupation or calling;
- irrelevant criminal record, spent convictions;
- irrelevant medical record;
- member of association or organisation of employees or employers, industrial activity, trade union activity;
- physical features;
- disability, mental or physical impairment;
- defence service; and
- personal association with someone who has any of these personal characteristics.

Legislation also prohibits:

- racial, religious, homosexual, transgender and HIV/AIDS vilification; and
- victimisation resulting from a complaint.

## **Bullying**

UQMC is committed to providing an environment which is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable at our club.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or group.

Whilst generally characterised by repeated behaviours, one off instance can amount to bullying and should therefore be seen as an integrated part of bullying, thus dealt with in the appropriate manner.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;
- excluding or isolating a group or person;

- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smartphones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. We will not tolerate abusive, discriminatory, intimidating, or offensive statements being made online on official UQMC platforms.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, the person may make a complaint.

### **Inclusive practices**

Our club is welcoming, and we will seek to include members from all areas of our community.

The following are examples of some of our inclusive practices.

#### **1. *People with a disability***

UQMC will not discriminate against any person because they have a disability. People with disabilities which do not put themselves or other members in danger, are welcome to participate in club activities.

#### **2. *People from diverse cultures***

We will support, respect, and encourage people from diverse cultures and religions to participate in our club, and where possible, we will accommodate requests for flexibility.

#### **3. *Sexual & Gender Identity***

All people, regardless of their sexuality or gender identity, are welcome at our club. We strive to provide a safe environment for participation and will not tolerate any form of discrimination or harassment because of a person's sexuality or gender identity.

## **Complaints**

UQMC takes all complaints about member behaviour seriously. Our club will handle complaints based on the principles of procedural fairness, and ensure that:

- All complaints will be taken seriously;
- The person receiving the complaint (defendant) will be given full details of what is being alleged against them and have the opportunity to respond to those allegations;
- Irrelevant matters will not be taken into account;
- Decisions will be unbiased; and
- Any penalties imposed will be reasonable.

More serious complaints may be escalated to UQ Sport, to which our club is affiliated, and these complaints will be handled by UQ Sport Guidelines for Handling of Complaints .

If the complaint relates to suspected child abuse, sexual assault, or other criminal activity, then our club may need to report the behaviour to the police and/or relevant government authority.

### **Complaint handling process**

When a complaint is received by our club, the person receiving the complaint (e.g., President, Member Protection Information Officer) will:

- not disclose any personal or sensitive information, including the identity of the complainant, to anyone in UQMC;
- listen carefully and ask questions to understand the nature and extent of the concern;
- ask how the complainant would like their concern to be resolved and whether they need any support;
- explain the different options available to help resolve the complainant's concern;
- inform the relevant government authorities and/or police, if required by law to do so; and
- where possible and appropriate, maintain confidentiality but not necessarily anonymity.

If the complaint of a UQMC member is pertaining to the Member Protection Information Officer, the member can make a complaint with the Vice President of UQMC, who will follow the procedure as mentioned above.

Members have the right to confidential communications with the Member Protection Information Officer (which is subject to change).

Once the complainant decides on their preferred option for resolution, the club will assist, where appropriate and necessary, with the resolution process. This may involve:

- supporting the complainant in talking to the person being complained about;
- bringing all the people involved in the complaint together to talk objectively through the problem (this could include external mediation);
- gathering more information (e.g., from other people that may have seen the behaviour);
- seeking advice from our district, regional, state and/or national body or from an external agency (e.g., State Department of Sport or anti-discrimination agency);
- referring the complaint to UQ Sport to which our club is affiliated; and/or
- referring the complainant to an external agency such as a community mediation centre, police, or anti-discrimination agency.

In situations where a complaint is referred to UQ Sport and an investigation is conducted, UQMC will:

- cooperate fully with the investigation;
- where applicable, ensure the complainant is not placed in an unsupervised situation with the respondent(s); and
- act on UQ Sport's recommendations.

At any stage of the process, a person can seek advice from an anti-discrimination commission or other external agency and, if the matter is within their jurisdiction, may lodge a complaint with the anti-discrimination commission or other external agency.

### **Disciplinary sanctions**

Our club may take disciplinary action against anyone found to have breached our policy or made false and malicious allegations. Any disciplinary measure imposed under our policy must:

- be applied consistent with any contractual and employment rules and requirements;
- be fair and reasonable;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined by our constituent documents and by Laws.

Possible sanctions that may be taken include:

- counselling of the individual to address behaviour;
- suspension or termination of membership, participation or engagement in a role or activity;
- any other form of discipline that our club considers reasonable and appropriate.

### **Appeals**

The complainant or respondent may be entitled to lodge an appeal against a decision made in relation to a complaint (including a decision where disciplinary sanctions are imposed by our club) to UQ Sport. Appeals must be based on any right of appeal provided for in the relevant constituent documents, rules, regulations or by laws.



**Contact**

If the member has any questions or concerns about this policy and procedure, please contact the UQMC President.

In case of a major breach of this policy, the member holds all rights to inform related authorities.

## Related Documents

From	Date	Description of documents	Website
UQ Sport	1.12.20	Privacy Policy. Content: standards and practises in relation to handling personal information records.	<a href="https://uqsport.com.au/wp-content/uploads/2020/02/COR-A005.01-Privacy-Policy.pdf">https://uqsport.com.au/wp-content/uploads/2020/02/COR-A005.01-Privacy-Policy.pdf</a>
UQ Sport	1.12.20	Whistleblower Policy. Content: standards and practices in relation to “whistleblowing”.	<a href="https://uqsport.com.au/wp-content/uploads/2020/02/COR-A005.01-Whistleblower-Policy.pdf">https://uqsport.com.au/wp-content/uploads/2020/02/COR-A005.01-Whistleblower-Policy.pdf</a>
Department of Justice and Attorney-General	Last accessed 01.03.21	Anti Discrimination Act 1991	<a href="https://www.legislation.qld.gov.au/view/html/inforce/2018-03-30/act-1991-085">https://www.legislation.qld.gov.au/view/html/inforce/2018-03-30/act-1991-085</a>
Queensland Human Rights Commission	Last accessed 01.03.21	Lodge a formal complaint	<a href="https://www.qhrc.qld.gov.au/complaints">https://www.qhrc.qld.gov.au/complaints</a>