

Respectful Environment Policy

Respectful Workplace Policy	
Purpose	To provide an environment where all people involved in badminton are treated fairly, with respect and are free from unlawful discrimination, harassment, sexual harassment, bullying, victimisation and vilification.
Scope	• Players • Administrators and officials • Coaches and Managers and anyone else who is employed by, or represents Badminton North Harbour, whether paid or unpaid • Parents and/or Guardians and/or Caregivers • All situations connected with badminton including but not limited to: ○ coaching and training ○ competition ○ travel ○ social events ○ meetings and conferences
Responsibilities	Badminton North Harbour is responsible for taking all reasonable steps to prevent unwanted behaviours in our organisation and for ensuring our policy and procedures are well known throughout the organisation. This means we will take all reasonable steps to ensure that everyone involved in badminton understands what a respectful environment means and that any breaches will not be tolerated. Complaints will be dealt with through identified procedures both formal and informal.
Legal Liability	Many forms of behaviour are illegal under legislation, e.g. Human Rights Act 1993, Employment Contracts Act 1991. Badminton North Harbour is implementing this policy to prevent complaints occurring.
Effective Date	June 2020

Section 1: Definitions	
Discrimination	Any practice that makes distinctions between people which results in disadvantage for some and advantage for others, including: • race / colour / nationality • sex / gender • age • relationship status • pregnancy / potential pregnancy • family / carers' responsibilities • religion • political beliefs / affiliation • union membership • breastfeeding • sexual orientation • gender identity / transgender / intersex status • disability / health status • physical appearance • criminal record

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Harassment	Any behaviour which is unwanted, unwelcome or uninvited and is likely to offend, embarrass, insult, humiliate or intimidate another person or a group of people (regardless of intent). Harassment can be physical, exclusionary, verbal or via electronic means.
Sexual Harassment	Unwelcome behaviour of a sexual nature which is likely to offend, humiliate or intimidate. Like harassment, it can be a one-off occurrence or a sequence of events. Sexual harassment can be verbal, physical, written or electronic.
Bullying	Repeated, unreasonable behaviour which creates a risk to health and safety. Behaviour is deemed 'unreasonable' if it is likely to victimise, humiliate, threaten or undermine someone.
Victimisation	Where someone is treated less favourably or subjected to detriment because they have made a complaint of discrimination or harassment, or, provided information/evidence in connection with a complaint of discrimination or harassment.
Vilification	A public act which incites feelings or beliefs such as hatred, severe contempt or severe ridicule of a person or group. Vilification might be unlawful if it is based on characteristics such as race, religion, homosexuality, transgender or HIV/AIDS status. For example, it could be vilification to send a group email containing a derogatory racist joke, or make contemptuous comments about gay people to a group of colleagues or customers.

Section 2: Options for Dealing with Breaches

Options	Select the option which is most appropriate to the situation you are in and that you are comfortable using. If an earlier option does not work, then you have the right to try a more formal approach.
Option 1: Self Help	Involves letting the offender know that the behaviour is unacceptable and must stop. This may resolve the matter quickly and in a low-key manner. This can be done in a number of ways including: - telling the person directly what behaviour is disliked and asking them to stop - writing a letter on a 'private and confidential' basis identifying the behaviour and asking them to stop - taking a support person with you when you advise the behaviour must stop
Option 2: Informal	Getting help to resolve the situation. Requires talking to the individual about what happened and what is required to fix the situation. If there is agreement on what happened and what will fix the situation, then the issue can be resolved confidentially between the immediate parties.
Option 3: Formal	Writing a formal complaint which should be forwarded to the Chief Executive or Board Chair outlining: - who the complaint is about? - what happened (including time, date, place, what was said and/or done, how often this has been said and/or done) - how it was responded to - what impact the behaviour has had - whether anyone else witnessed the behaviour
Option 4: Police	Complaints of a criminal nature, for example, physical & sexual assault, should be reported to the police

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Section 3: Procedure for Dealing with a Formal Complaint

Privacy	The right to privacy of all parties involved will be protected
Procedure	- When a formal complaint is laid with the Chief Executive or Board Chair, they will meet with the complainant and ensure that the complainant understands what will be involved in a formal investigation. The complainant may choose to have a support person with them for this meeting. The Chief Executive or Board Chair will then determine the most appropriate way of formally investigating the complaint. This may include: - the Chief Executive or Board Chair resolving the issue directly between all parties - appointing appropriate people from Badminton North Harbour staff or Board to investigate the complaint - appointing an investigator/s - a combination of the above. An investigator/s will be appointed as soon as is possible, but at least within 14 days of the complaint being received. <i>Please note - this process may vary if an external investigator/s is involved.</i>
Interview	The Investigator(s) will individually interview: - the complainant - the respondent (the person accused of the behaviour) - any witnesses Both the complainant and the respondent are entitled to have a support person or advisor with them during this process. The respondent will be interviewed again at the completion of all other interviews to give them the opportunity to respond to the information collected by the investigator(s).
Report	The investigator(s) will prepare a report on their findings regarding the facts of the situation. Their finding will be based on civil law standard which is on "the balance of probabilities" not the criminal law standard of beyond reasonable doubt. The report will include: - the basis of the complaint - the response of the respondent to the allegation(s) - a summary of any information provided by witnesses - any reasons why one person's evidence is preferred over another's - details of the investigation - recommendations of resolution of the complaint - recommendations to the organisation about how to prevent this event happening again, when appropriate.
Rights of the Respondent	The respondent must be given the opportunity to: - know what the complaint is about - respond to the complaint and have their account heard - have time to respond - have support to respond

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Section 4: Decision Making

Process	The Chief Executive or the Board Chair will convene a disciplinary committee who will: • receive the investigator's report • consider the report • provide both the complainant and the respondent with the opportunity to respond to it and comment on what they feel is appropriate action • determine if and what disciplinary action is appropriate • determine if and what actions are appropriate for the complainant • determine if any changes are required to the policy and procedures or to the way the policy and procedures are put into practice The disciplinary committee shall comprise of The Board Chair, Chief Executive or President and two independent members appointed by the Board (these people may be members of the Board). If the complainant or the respondent chooses to respond to the finding, they may bring their support people with them.
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Section 5: Possible Disciplinary Actions

Options Include	• Requesting a verbal or written apology • Disciplinary action • Referral to counselling • A change in role or duties • Temporary suspension with or without pay • Termination of employment or contract • Any other measures that the disciplinary committee determines are appropriate • Termination of membership to Badminton North Harbour • A combination of any of the above.
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Section 5: Post Investigation/Decision

Record Keeping	Badminton North Harbour will keep a confidential record of formal complaints that have been upheld. This record will include a record of the investigation, the decision of the disciplinary committee and what action was taken.
Retaliation	For the purpose of the policy, retaliation will not be tolerated against an individual for having: • filed a complaint under this policy • participated in any procedure under this policy • been associated with a person who filed a complaint or participated in any procedure under this policy
Frivolous or Vexatious Complaints	If it is deemed frivolous, vexatious or malicious complaints are made, Badminton North Harbour will take relevant disciplinary action against the person making the complaint.

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Confidentiality	Badminton North Harbour understands that it can be extremely difficult to come forward with a complaint and that it can be devastating to be wrongly accused. All people involved in the investigation of complaints are required to keep it confidential during the course of the investigation. Ongoing confidentiality may also be required as part of the resolution of the complaint.
Defamation	To prevent any risk of defamation, it is important that complaints are made honestly and only discussed with those people who have a need to know.

Document Control			
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