



## OCEAN GROVE FOOTBALL & NETBALL CLUB - RACIAL AND RELIGIOUS TOLERANCE POLICY

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### 1. OVERVIEW

The Ocean Grove Football & Netball Club (the Club) is committed to fostering an environment that promotes racial and religious tolerance. This includes prohibiting racial and religious vilification and discrimination and offering a means of redress for victims.

1.2 The Club is bound by the:

- *Racial and Religious Tolerance Act 2001 (Vic)*
- *Racial Discrimination Act 1975 (Cth)*
- *Equal Opportunity Act 1995 (Vic)*

This Policy aligns with these Acts and the rules of the Australian Football League (Rule 30) and the Victorian Football League (Rule 7.3). It is not a substitute for legislation.

1.3 The Club will communicate this Policy to all participants and spectators and ensure that annual anti-racial and religious vilification and discrimination training is provided.

1.4 Nothing in this Policy limits a person's right to lodge a formal complaint under the relevant legislation.

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### 2. DEFINITIONS

- **Complaints Process** – As outlined in Sections 6, 7, and 8.
- **Club** – Ocean Grove Football & Netball Club.
- **Conduct** – Includes electronic communication such as email or internet posts.
- **League** – AFL Barwon and associated competitions.
- **Detriment** – Includes humiliation and denigration.
- **Discrimination** – Conduct based on race, religion, colour, descent, or national/ethnic origin, either directly (less favourable treatment) or indirectly (imposing unreasonable conditions).
- **Participant** – Player, official, staff, volunteer, or agent of a Club.
- **Spectator** – Any person attending a game or Club event.

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### 3. PROHIBITED CONDUCT

#### 3.1 Racial and Religious Vilification

No person shall engage in conduct that offends, humiliates, intimidates, ridicules, incites, threatens, disparages, vilifies, or insults another based on race, religion, colour, descent, or national or ethnic origin.

#### 3.2 Serious Racial and Religious Vilification

No person shall intentionally incite hatred or threaten/encourage physical harm to a person, or their property based on race, religion, colour, descent, or national or ethnic origin.

#### 3.3 Racial and Religious Discrimination

No person shall engage in direct or indirect discrimination on the basis of the attributes listed above.

#### 3.4 Victimisation

3.4.1 No person shall victimise another.

3.4.2 Victimisation includes:

- Threatening or causing detriment due to a lodged or intended complaint.
  - Encouraging others to do so.
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#### 4. AUTHORISED PERSONS

4.1 The Club will appoint a **Complaints Officer** to manage breaches of this Policy equitably and promptly.

4.2 The **Club President** is the senior decision-maker in the complaints process. A delegate must be appointed during their extended absence.

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#### 5. CONFIDENTIALITY AND RECORDS

5.1 All parties involved in a complaint must maintain confidentiality and agree in writing not to disclose details publicly.

5.2 All complaint-related documents will be retained securely for **7 years** from the complaint date.

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#### 6. INTER-CLUB BREACH

If a breach involves someone from another Club:

6.1 A complaint must be lodged with the Club's Complaints Officer by **5.00pm** on the first working day after the incident.

6.2 The Club's Complaints Officer must forward the complaint to the **League's Complaints Officer** by 5.00pm the next working day.

6.3 The Club's Complaints Officer will take no further action unless instructed by the League.

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#### 7. INTRA-CLUB BREACH

If the alleged offender is from the Club:

- A complaint must be lodged in writing with the Club's Complaints Officer by 5.00pm the next working day after the incident.
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#### 8. MANAGEMENT OF INTRA-CLUB COMPLAINTS

The Complaints Officer will:

8.1 Ensure confidentiality at all times.

8.2 Inform the respondent and allow a response.

8.3 Notify only the President (or Nominee) that a complaint has been made.

8.4 Gather written statements from witnesses.

8.5 Collect any other relevant evidence.

8.6 Organise conciliation with an independent conciliator.

8.7 Aim to resolve the issue through conciliation within **5 working days**.

8.8 Refer the complaint to the **League Tribunal**:

- If conciliation fails.
- If the respondent has previously participated in conciliation.
- If the complaint is vexatious or lacking substance.
- If the matter could be considered "serious" under the *Racial and Religious Tolerance Act*.

8.9 Timeframes may be extended if the President deems it just and equitable.

8.10 If resolved through conciliation, any public statement must be agreed upon by both parties and the President.

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#### 9. CLUB LIABILITY

The Club may be **vicariously liable** for a breach of this Policy by a participant unless it can prove reasonable preventative measures were taken.

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## 10. REVIEW

This procedure will be reviewed every **two years** or following any **serious incident or complaint** to ensure it remains current and effective.

Feedback from staff, volunteers, and members will be considered as part of each review.

### Document Control Table

| Version | Date       | Approved By               | Next Review Date |
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