

MEMBER PROTECTION AND INCLUSION

Maccabi recognises that its members come from all backgrounds, abilities and identities. We strive to:

- enable all members of the Jewish community to participate in sport and active recreation;
- ensure that Maccabi reflects the diversity of the communities in which we live; and
- work towards supporting and developing staff, volunteers, boards, clubs, programs and offerings where everyone can be included.

MEMBER PROTECTION POLICY: discrimination, harassment and bullying and other behavioural issues

Maccabi opposes all forms of unlawful discrimination, harassment, and bullying. We require that our Participants do not engage in these types of behaviour towards people with whom they interact at Maccabi.

If any person feels they are being harassed, discriminated against, bullied, victimised or vilified by another person or body bound by the Integrity Policies, they should refer to the grievance and complaint handling procedures outlined in Chapter 8 of the Handbook.

DISCRIMINATION

Unlawful discrimination and harassment can include:

- treating or proposing to treat one person less favourably than another because of a particular protected characteristic ("**direct discrimination**");
- imposing or intending to impose a requirement, condition or practice which may appear to be fair but which has an unequal or disproportionate effect on people with a particular protected characteristic ("**indirect discrimination**"); or
- any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phone or computer.

Requesting, assisting, instructing, inducing or encouraging another person to do something that is unlawful discrimination, or harassment may also be against the law.

Relevant **Protected Attributes** (or **characteristics**) covered by anti-discrimination laws across Australia include:

- sex or gender;
- gender identity/transgender status;
- sexual orientation; and
- marital status or relationship status;
- parental/family/carer responsibility and status;
- pregnancy and breast feeding;
- race or national or ethnic origin;
- age;
- disability;
- religious beliefs or activity;
- political beliefs or activity;
- social origin and social class.

Unlawful discrimination and harassment are not permitted at work (including in volunteer activities and unpaid employment); when providing sporting goods and services including access to sporting facilities; when providing education and accommodation; when selecting a person for competition or a team (domestic or international); and in relation to membership of clubs and organisations.

There are some exceptions to anti-discrimination law, including for example:

- it is permissible to hold a competitive sporting activity for a single gender in some circumstances – e.g. for particular ages and where strength, stamina or physique is relevant; and
- it is permissible not to select a person if that person's disability means they are not reasonably capable of performing the actions reasonably required for that particular sporting activity.

HARASSMENT

Harassment is any type of behaviour that is unwelcome and of a type that a reasonable person would recognise is likely to cause the recipient to feel offended, humiliated or intimidated.

Unlawful harassment is a form of unlawful discrimination – that is, harassment that targets a person based on one of the Protected Characteristics listed above.

It does not matter whether the harassment was intended: the focus is on the impact of the behaviour. The basic rule is that, if someone else finds it harassing, then it could be unlawful harassment. Harassment may be a single incident but is usually repeated. It may be explicit or implicit, verbal or non-verbal, and this includes conduct via electronic communication..

It can include behaviour such as:

- telling insulting jokes about particular racial groups
- sending explicit or sexually suggestive emails or text messages
- displaying racially offensive or pornographic posters or screen savers
- making derogatory comments or taunts about someone's race
- harassing someone (for example by teasing them or excluding them) because of their gender
- asking intrusive questions about someone's personal life.

SEXUAL HARASSMENT

Sexual harassment is harassment that involves behaviour of a sexual nature. Sexual harassment can take many different forms and may include unwanted physical contact, verbal comments, jokes, propositions, display of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Some sexual harassment is serious enough to constitute sexual assault, which is a crime.

Sexual harassment is not behaviour based on mutual attraction, friendship and respect. If the interaction is between consenting adults, it is not sexual harassment.

VICTIMISATION

Victimisation means subjecting (or threatening to subject) a person to some form of detriment because they have:

- lodged, or are proposing to lodge, a complaint of discrimination or harassment
- provided information or documents to an internal investigation or an external agency
- attended a conciliation conference

- reasonably asserted their rights, or supported someone else's rights, under federal anti-discrimination laws
- made an allegation that a person has acted unlawfully under federal anti-discrimination laws.

An example of victimisation is a player is ostracised by her male coach for complaining about his sexist behaviour or for supporting another player who has made a complaint.

VILIFICATION

Vilification is a public act which incites hatred towards, serious contempt for, or severe ridicule of a person or group defined by race or some of the other characteristics set out above.

Racial vilification is prohibited by law. This applies to spectators, Participants or any other person who engages in such an act in public. Some States and Territories also prohibit public acts that vilify on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability.

Public acts that may amount to vilification include any form of communication to the public and any conduct observable by the public. 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 teammates.

BULLYING

Bullying is defined in safety laws as repeated and unreasonable behaviour that creates a risk to someone's physical or psychological safety.

Bullying can have long-term effects on those affected, including bystanders. It has the potential to cause great anxiety and distress.

Maccabi regards bullying in all its forms as unacceptable, and prohibits bullying at or in connection with events Maccabi is involved in.

Bullying behaviour can include:

- **physical bullying:** kicking, punching, pushing, shoving, jostling, pinching or spitting; damaging or destroying someone's property; unwelcome physical intimidation, such as gestures or staring;
- **verbal bullying:** offensive or abusive comments, sarcasm, teasing, rude jokes and comments; verbally ridiculing someone's appearance, actions or beliefs; teasing, sledging or otherwise putting someone down; obscene or threatening phone calls and other forms of verbal intimidation;
- **social bullying:** excluding someone; spreading rumours or gossip or writing graffiti about someone; giving them impossible or meaningless work tasks or undermining work performance by deliberately withholding information;
- **cyber-bullying:** bullying that takes place digital devices like mobile phones, computers, and tablets Cyberbullying can occur through SMS, text, and apps, or

online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying behaviour might include:

- abusive texts and emails;
 - hurtful messages, images or videos;
 - imitating, excluding or humiliating someone online;
 - spreading nasty online gossip and chat; or
 - creating fake accounts to trick someone or humiliate them;
- **emotional bullying:** instilling fear in someone, extortion (forcing someone to hand over money, food or other possessions), forcing someone to do your work.

Conduct that is not bullying includes:

- legitimate comment and advice, including relevant feedback, coming from an appropriate person (e.g. Club President or Coach);
- respectful conflict or disagreement; and
- children not getting along well.

Bullying may also be unlawful harassment or discrimination if it is linked to, or based on, one of the Protected Attributes covered by Australian laws, such as a person's age, sex, race or disability.

In some cases, bullying can be a criminal offence (including under safety laws) punishable, amongst other things, by imprisonment – in which case, it should be dealt with and reported in the same manner as any other criminal offence.

You can report incidents of cyberbullying and image-based abuse to the eSafety Commissioner at <https://www.esafety.gov.au/>

INTIMATE RELATIONSHIPS POLICY

This policy relates to intimate relationships (whether or not of a sexual nature) that develop between one person in a position of power at Maccabi and another person without that power (for example a person for whom they are responsible). An example is a relationship between an athlete and a coach or committee members.

(The policy does not affect existing adult relationships – such as marriage or other long-term relationships – between Participants.)

Intimate relationships where there is an imbalance of power can be a cause for concern, because of the potential for:

- harassment, abuse or exploitation
- compromising morale and giving rise to accusations of favouritism
- a negative impact on Maccabi's public image.

It follows that Maccabi Representatives should avoid entering into intimate relationships with other Participants, except if they are confident **both** that there is no imbalance of power, **and** that the other person genuinely consents to the relationship.

If you consider that someone has developed, or is seeking to develop, an inappropriate intimate relationship with you, you should raise your concerns in accordance with the guidelines outlined in this Handbook.

SOCIAL MEDIA POLICY

Maccabi uses public media as a tool aimed to benefit our community and the sports and activities we are involved in. We want our Participants' use of social media to contribute this, in a culture of openness, trust and integrity. This policy is designed to assist in achieving these goals.

This policy is applicable to you if you are:

- using social media as an officially designated individual representing Maccabi on social media; and/or
- posting on social media while wearing or displaying uniform or attire that would reasonably create an association with Maccabi, or might make you appear to represent Maccabi; and/or
- posting content on social media in relation to Maccabi that might affect Maccabi's activities, services, events, sponsors, members, clubs, affiliated bodies or reputation.

This policy does not apply to the personal use of social media that is not related to Maccabi in any way. However, any misuse of social media may still be regulated by other Maccabi policies or rules – for example, it might indicate a breach of another Integrity Policy.

Using social media in an official capacity

You must be authorised by Maccabi before engaging in social media as a representative of Maccabi.

As a part of Maccabi's community, you are an extension of the Maccabi brand, and it is important that you represent both yourself and Maccabi appropriately online at all times.

You must not create either an official or unofficial Maccabi presence using the organisation's trademarks or name without first getting written approval from Maccabi. You must not use any of Maccabi's intellectual property (such as trademarks, logos or slogans) or imagery on your personal social media without first getting written approval from Maccabi.

Guidelines

You must adhere to the following guidelines when using social media related to Maccabi, even if you are not officially representing Maccabi (e.g. if you are commenting on someone else's post in your personal capacity):

- use common sense;
- protect your privacy and the privacy of other people;
- gain permission when publishing a person's identifiable image (and, if the image is of a child, the permission should come from a parent or guardian);

- be honest and upload any material under your real name;
- use disclaimers where necessary;
- respect confidentiality and sensitivity;
- comply with applicable laws, including copyright laws
- do not use any Maccabi logo or other intellectual property without first getting written permission
- do not post any material that is offensive, harassing, unlawfully discriminatory, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate
- keep in mind that what you write is your responsibility, and failure to abide by these guidelines could put your position at risk.

INCLUSION

ALL ABILITIES POLICY

Our policy on sport for persons with a disability envisages equal opportunity and active participation for all persons with a disability in Maccabi across Australia to the full extent of their abilities and interests. Maccabi welcomes participation from all members of the community, regardless of their abilities. We seek to provide opportunities to include people with disability in our clubs in both playing and non-playing roles to the greatest extent that we can. We aim to eliminate inappropriate and unlawful discrimination or harassment in all Maccabi Clubs that is based on any participant's physical or intellectual disability.

We will endeavour to make our Clubs as accessible as possible, taking into account the ability of individuals involved and the type and level of competition they wish to join (e.g., junior versus senior competition and social versus pennant).

We aim to:

- put people first, focus on what they can do and find out how they can and want to participate;
- ask each Participant or their parent, guardian and/or carer (if they are a child or do not have the capacity to make an informed decision) for advice about what modifications would help them to participate;
- where reasonably possible, make adjustments to coaching, equipment, rules or playing environment and modifications to club premises (e.g. putting in a ramp);
- be honest and explain if certain modifications or adjustments are not currently reasonably possible and discuss the hurdles that prevent participation;
- communicate with people and share information in appropriate ways and formats;
- make sure people of all abilities are accepted, welcomed and included in Maccabi social activities where possible and are recognised for their contribution and achievement;
- provide information about other options for participation outside Maccabi; for example, letting people know about sports that are primarily or only for people with a disability, or clubs where major modifications have been made to increase opportunities for participation;

- recognise the role every person plays to make Maccabi a success. Success is not only measured by the on-field result but the feel and atmosphere of the Club e.g. that its members and supporters recognise that it is an inclusive Club.

In this context:

- you are expected to treat all people with respect and not to discriminate unlawfully, whether directly or indirectly, against people based on their physical or intellectual disability; and
- if you have, or your child has, a disability, please:
 - tell Maccabi what we can do to help include you in the Club that you wish to be involved with;
 - understand that Maccabi will try to make any necessary adjustments or modifications where reasonably possible; and
 - talk to Maccabi if you have any concerns or ideas, to help us make our Clubs more inclusive.

PREGNANCY POLICY

Maccabi strives to provide an inclusive and welcoming sporting environment for pregnant women involved in any of Maccabi's activities. You are expected to treat pregnant women with dignity and respect and to remove any unreasonable barrier, or disadvantage to their participation in sport.

While many sporting activities are safe during pregnancy, there may be particular risks that apply in some circumstances. Those risks will depend on the nature of the particular sporting activity and the particular pregnant woman's circumstances.

Maccabi recommends that a pregnant woman wishing to participate in any sporting competition consults with medical professionals, to become aware of the facts about pregnancy in sport, to be able to make informed decisions about participation.

Maccabi's approach to pregnancy will sometimes be limited by the rules and regulations of a governing body that regulates the activities of a particular sport.

GENDER DIVERSITY POLICY

Maccabi expects all our Participants to treat people who identify as transgender or gender diverse equally and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. Any unlawful discrimination or harassment against a person who identifies as or is thought to be transgender, intersex or gender diverse is not to be tolerated.

Maccabi recognises that the exclusion of transgender people from participation in sporting events and activities has significant implications for their health, wellbeing and involvement in community life.

MAI recommends that Maccabi State Bodies and Clubs aim to facilitate all athletes to participate in the sport of the gender with which they identify.

Maccabi also recognises there is debate over whether a male to female transgender person obtains any physical advantage over other female Participants. This debate is reflected in the divergent discrimination laws across the country. Maccabi's approach to transgender issues will sometimes be limited by these laws, and/or the rules and regulations of a governing body that regulates the activities of a particular sport. If issues of performance advantage arise, advice should be sought on the application of the rules and regulations of the particular sport involved.

Maccabi recognises that gender diverse persons may wish to be referred to by specific pronouns in face- to-face or written communication, and this must be respected at all times.

