

# Constitution

## The Christian Camping Program Incorporated

**1 The name** of the incorporated association is THE CHRISTIAN CAMPING PROGRAM Incorporated.

### **2 Preamble**

2.1 The Camping Program is an independently managed Association supported by Community Church of Kyabram. The Camping Program will remain closely linked with the church, until either party ceases to operate.

2.2 The Camping Program is called by God and enabled by His Spirit to share the love of Jesus to people through a camping program. The various camps within this program are open to all people. The guiding principle for each camp is to move each camper closer to a greater understanding of God's love and purpose for their lives, through an integrated approach of love, acceptance, support and Biblical teaching.

### **3 Financial year**

The financial year of The Camping Program is each period of 12 months ending on 30 June.

### **4 Definitions**

The *Model Rules for an Incorporated Association* is the underpinning document for this Constitution. The Model Rules should be used to clarify any discrepancies or details.

In these Rules—

- absolute majority of the Committee, means a majority of the committee members currently holding office and entitled to vote at the time (as distinct from a majority of committee members present at a committee meeting);
- associate member means a member referred to in rule 14(1);
- Chairperson, of a general meeting or committee meeting, means the person chairing the meeting as required under rule 46;
- Committee means the Committee having management of the business of the Association;
- committee meeting means a meeting of the Committee held in accordance with these Rules;
- committee member means a member of the Committee elected or appointed under Division 3 of Part 5;
- disciplinary appeal meeting means a meeting of the members of the Association convened under rule 23(3);
- disciplinary meeting means a meeting of the Committee convened for the purposes of rule 22;
- disciplinary subcommittee means the subcommittee appointed under rule 20;
- financial year means the 12-month period specified in rule 3;
- general meeting means a general meeting of the members of the Association convened in accordance with Part 4 and includes an annual general meeting, a special general meeting and a disciplinary appeal meeting;
- member means a member of the Association;
- member entitled to vote means a member who under rule 13(2) is entitled to vote at a general meeting;
- special resolution means a resolution that requires not less than three-quarters of the members voting at a general meeting, whether in person or by proxy, to vote in favour of the resolution;
- the Act means the Associations Incorporation Reform Act 2012 and includes any regulations made under that Act;
- the Registrar means the Registrar of Incorporated Associations.

## **5 POWERS OF ASSOCIATION**

- 5.1 Subject to the Act, The Camping Program has power to do all things incidental or conducive to achieve its purposes.
- 5.2 Without limiting sub rule (1), The Camping Program may—
- acquire, hold and dispose of real or personal property;
  - open and operate accounts with financial institutions;
  - invest its money in any security in which trust monies may lawfully be invested;
  - raise and borrow money on any terms and in any manner as it thinks fit;
  - secure the repayment of money raised or borrowed, or the payment of a debt or liability;
  - appoint agents to transact business on its behalf;
  - enter into any other contract it considers necessary or desirable.
- 5.3 The Camping Program may only exercise its powers and use its income and assets (including any surplus) for its purposes.
- 5.4 The Camping Program is a Not for Profit organisation
- (i) The Camping Program must not distribute any surplus, income or assets directly or indirectly to its members.
- (ii) Sub rule (i) does not prevent the Camping Program from paying a member—
- reimbursement for expenses properly incurred by the member; or
  - for goods or services provided by the member— if this is done in good faith on terms no more favourable than if the member was not a member
  - salary or wages where the member is lawfully employed by The Camping Program.

## **6 MEMBERSHIP**

- 6.1 Details of Membership can be found in Appendix 1 – Membership Policy
- (i) Everyone over the age of 18 is eligible to become a member, or in the case of junior campers, their parents or guardians are encouraged to become members
- (ii) The Camping Program is a Christian faith based association; therefore members are encouraged to have a Christian faith, and be affiliated with a local Christian church.
- (iii) Prospective members will be invited to join The Camping Program, by checking a link on the on-line registration form, or through other promotional materials.
- 6.2 Camp Organisers' are expected to be members of The Camping Program, and to adhere to The Camping Program Code of Conduct (Appendix 2 – The Camping Program Code of Conduct)
- 6.3 All adult leaders (over age 18) at camps are encouraged to be members of The Camping Program, and to adhere to The Camping Program Code of Conduct (Appendix 2 – The Camping Program Code of Conduct)

## **7 MEMBERSHIP FEES**

- 7.1 There are no subscription or membership fees to The Camping Program. Camp registration fees are independent and have no bearing on the right to seek membership.

## **8 MEMBERSHIP RIGHTS & OBLIGATIONS**

- 8.1 There must be a minimum of 5 current members eligible to vote at any time
- 8.2 Members may submit items of business for consideration at a general meeting, and have the right to be heard at general meetings
- 8.3 Only members of The Camping Program will have the right to vote at any general meeting of the association.
- 8.4 All members will be informed of the timing and location of all general meetings
- 8.5 Anyone is welcome to attend any general meeting; however only members will have voting rights.
- 8.6 Members can have access to the Minutes of general meetings, as well as financial records. The Committee may refuse to permit a member to inspect records of the Association that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of the Association.
- 8.7 Members may request, in writing to the Secretary, the use of any property and facilities of The Camping Program
- 8.8 There are no financial obligations placed upon members of The Camping Program.

## **9 CESSATION OF MEMBERSHIP**

- 9.1 Members may resign from The Camping Program at any time. This should be submitted in writing to the Secretary.
- 9.2 The Committee shall review the membership roll prior to the Annual General Meeting of The Camping Program and attempt to make contact with any members who have not any attended camps or meetings in that year. If the Committee is unsuccessful in making contact with the member, their names may be removed from the membership role.

## **10 DISCIPLINING OF MEMBERS**

The Camping Program does not intend or want to take disciplinary action against members. However, where a member clearly and consistently fails to adhere to The Camping Program Code of Conduct (see Appendix 2), appropriate disciplinary action may be warranted.

## **11 GRIEVANCE PROCEDURES**

- 11.1 The grievance procedure applies to disputes under these Rules between—
  - a member and another member; or
  - a member and The Camping Program Committee.
- 11.2 The parties to the dispute must meet and discuss the matter in dispute, and, if possible, resolve the dispute within 14 days after the dispute comes to the attention of all of the parties.
- 11.3 If the parties are unable to resolve the dispute at the meeting, or if a party fails to attend that meeting, then the parties must, within 10 days, hold a meeting in the presence of a mediator.
- 11.4 (i) The mediator must be -
  - a person chosen by agreement between the parties; or
  - in the absence of agreement, the Senior Pastor, or their nominee, of Community Church Kyabram.(ii) A member of The Camping Program can be a mediator.  
(iii) The mediator cannot be a member who is a party to the dispute.  
(iv) The parties to the dispute must, in good faith, attempt to settle the dispute by mediation.  
(v) The mediator, in conducting the mediation, must—
  - give the parties to the mediation process every opportunity to be heard; and
  - allow due consideration by all parties of any written statement submitted by any party; and
  - ensure that natural justice is accorded to the parties to the dispute throughout the mediation process.
- (v) The mediator must not determine the dispute.
- 11.5 If the mediation process does not result in the dispute being resolved, the parties may seek to resolve the dispute in accordance with the Act or otherwise at law.

## **12. COMMITTEE**

### **12.1 Role and powers**

The business of The Camping Program will be managed by or under the direction of the Committee.

### **12.2 Composition of Committee**

The Committee consists of—

- a President; and
- a Vice-President; and
- a Secretary; and
- a Treasurer; and
- two elected ordinary members.

### **12.3 Roles**

#### **(i) President and Vice-President**

- The President or, in the President's absence, the Vice-President is the Chairperson for any general meetings and for any committee meetings.
- If the President and the Vice-President are both absent, or are unable to preside, the Chairperson of the meeting must be—
  - (a) in the case of a general meeting—a member elected by the other members present; or
  - (b) in the case of a committee meeting—a committee member elected by the other committee members present.
- The President will form part of the executive leadership team of The Camping Program. In situations where urgent decisions need to be made and where it is impractical to hold a committee meeting, the executive leadership team are empowered to manage The Camping Program.

#### **(ii) Secretary**

- The Secretary must:
  - (a) maintain the register of members in accordance with rule 18; and
  - (b) keep custody of all books, documents and securities of the Association; and
  - (c) subject to these Rules, provide members with access to the register of members, the minutes of general meetings and other books and documents.
- The Secretary will form part of the executive leadership team of The Camping Program. In situations where urgent decisions need to be made and where it is impractical to hold a committee meeting, the executive leadership team are empowered to manage The Camping Program.

#### **(iii) Treasurer**

- The Treasurer must—
  - (a) receive all moneys paid to or received by the Association and issue receipts for those moneys in the name of the Association; and
  - (b) ensure that all moneys received are paid into the account of the Association within 5 working days after receipt; and
  - (c) make any payments authorised by the Committee or by a general meeting of the Association from the Association's funds; and
  - (d) ensure cheques are signed by at least 2 committee members.
- The Treasurer must—
  - (a) ensure that the financial records of the Association are kept in accordance with the Act; and
  - (b) coordinate the preparation of the financial statements of the Association and their certification by the Committee prior to their submission to the annual general meeting of the Association.
- The Treasurer must ensure that at least one other committee member has access to the accounts and financial records of the Association.
- The Treasurer will form part of the executive leadership team of The Camping Program. In situations where urgent decisions need to be made and where it is impractical to hold a committee meeting, the executive leadership team are empowered to manage The Camping Program.

- (iv) **One Committee member** (in addition to the President, Secretary and Treasurer) will form part of the executive leadership team of The Camping Program. In situations where urgent decisions need to be made and where it is impractical to hold a committee meeting, the executive leadership team are empowered to manage The Camping Program.

#### 12.4 Election to the Committee

- Any current member is eligible to be elected as a committee member
- The Chairperson of the meeting must declare all positions on the Committee vacant and hold elections for those positions in accordance with these rules.

#### 12.5 Nominations

- (i) Prior to the election of each position, the Chairperson of the meeting must call for nominations to fill that position.
- (ii) An eligible member of the Association may—
- nominate himself or herself; or
  - with the member's consent, be nominated by another member.
  - A member who is nominated for a position and fails to be elected to that position may be nominated for any other position for which an election is yet to be held.

#### 12.6 Election of Office Bearers

- (i) At the annual general meeting, separate elections must be held for each of the following positions—
- President;
  - Vice-President;
  - Secretary;
  - Treasurer
  - Ordinary committee member for Executive Leadership team.
- (ii) If more than one member is nominated, a ballot must be held in accordance with rule 12.4.7
- (iii) On his or her election, the new President may take over as Chairperson of the meeting.
- (iv) The annual general meeting must by resolution decide the number of ordinary members of the Committee (if any) it wishes to hold office for the next year.
- (v) A single election may be held to fill all of those positions.
- (vi) If the number of members nominated for the position of ordinary committee member is less than or equal to the number to be elected, the Chairperson of the meeting must declare each of those members to be elected to the position.
- (vii) If the number of members nominated exceeds the number to be elected, a ballot must be held in accordance with rule 12.7.

#### 12.7 Ballot

- (i) If a ballot is required for the election for a position, the Chairperson of the meeting must appoint a member to act as returning officer to conduct the ballot.
- (ii) The returning officer must not be a member nominated for the position.
- (iii) Before the ballot is taken, each candidate may make a short speech in support of his or her election.
- (iv) Voting for positions to the Committee will be by secret ballot.
- The returning officer must give a blank piece of paper to each member present in person.
  - If the ballot is for a single position, the voter must write on the ballot paper the name of the candidate for whom they wish to vote.
  - If the ballot is for more than one position—
    - (a) the voter must write on the ballot paper the name of each candidate for whom they wish to vote;
    - (b) the voter must not write the names of more candidates than the number to be elected.
      - Ballot papers that do not comply with sub rule 12.7(iv) are not to be counted.
      - Each ballot paper on which the name of a candidate has been written counts as one vote for that candidate.

- (v) The returning officer must declare elected the candidate or, in the case of an election for more than one position, the candidates who received the most votes.
  - If the returning officer is unable to declare the result of an election under sub rule (12.7(iv) because 2 or more candidates received the same number of votes, the returning officer must—
    - (a) conduct a further election for the position in accordance with the sub rule 12.7(iv) to decide which of those candidates is to be elected; or
    - (b) with the agreement of those candidates, decide by lot which of them is to be elected.

#### 12.8 Term of office

A committee member holds office until the positions of the Committee are declared vacant at the next annual general meeting.

#### 12.9 A committee member may be re-elected.

#### 12.10 Vacation of office

- (i) A committee member may resign from the Committee by written notice addressed to the Committee.
- (ii) A person ceases to be a committee member if he or she—
  - ceases to be a member of the Association; or
  - fails to attend 3 consecutive committee meetings (other than special or urgent committee meetings); or
  - is removed from office by a special resolution; or
  - dies; or
  - becomes insolvent; or
  - becomes a represented person under the *Guardianship and Administration Act 1986*.

#### 12.11 Filling casual vacancies

- (i) The Committee may appoint an eligible member of the Association to fill a position on the Committee
- (ii) The Committee may continue to act despite any vacancy in its membership.

### 13 Meeting Procedures

- (i) The quorum of any Committee meeting shall be half the elected members. Quorum for General meetings shall be 10 current members on record (and must include at least half the Committee members)
- (ii) The Camping Program Committee will meet at least four times each year. At least 14 days' notice must be provided. Minutes of the previous meeting, and an agenda for the current meeting must be provided at this time.
- (iii) Subject to sub rule (12.3(i), the President or, in the President's absence, the Vice-President is the Chairperson for any general meetings and for any committee meetings.
- (iv) Decisions made at Committee will be made by show of hands. While the Committee will always seek to achieve a unanimous outcome, scope is available for a vote to take place. Decisions are considered passed if at least half of the members present are in favour. In the case of a tied vote, the Chairperson will have the casting vote.
  - The Committee will decide whether a member can take part in a vote, where a Committee member has a conflict of interest in the outcome. The onus is on the member to declare the conflict of interest prior to the vote taking place.
- (v) Meetings can be conducted using telephone or video communications, provided everyone present at the meeting can hear / see those connected by this technology. It is preferable that all members be physically present in the same place.
- (vi) It is the role of the Secretary (or in their absence, a member appointed by the Chairperson), to take minutes of decisions. The Secretary must retain custody of all records, securities and other relevant documents of The Camping Program.
- (vii) A motion proposing an alteration to the rules of an incorporated association must be passed by a special resolution.
  - A special resolution must be passed by at least 75% of the members present at an Annual General Meeting
  - Members must be given at least 21 days' notice of a motion that is to be passed by special resolution. The notice must include: the date, time and place of the meeting; the full proposed resolution; a statement of the intention that the motion be proposed as a special resolution.

## **14 General Matters**

- 14.1 All members have the right to inspect, and may obtain copies of the records, securities and other relevant documents. These cover:
- (i) information relating to incorporation, rules, management, membership records and financial statements
  - (ii) the association's transactions, dealings, business or property
  - (iii) the register of members (this register can be inspected, but not copied)
    - Where a copy of documents has been requested, the request must be made in writing, and the Committee must provide the copies in a timely manner and free of charge.
    - The Committee may refuse to permit a member to inspect records of The Camping Program that relate to confidential, personal, employment, commercial or legal matters or where to do so may be prejudicial to the interests of The Camping Program.
- 14.2 Minutes of general meetings
- (i) The Committee must ensure that minutes are taken and kept of each general meeting.
  - (ii) The minutes must record the business considered at the meeting, any resolution on which a vote is taken and the result of the vote.
  - (iii) In addition, the minutes of each annual general meeting must include—
    - the names of the members attending the meeting; and
    - the financial statements submitted to the members
    - the Minute signed by two committee members certifying that the financial statements give a true and fair view of the financial position and performance of The Camping Program; and
    - any audited accounts and auditor's report or report of a review accompanying the financial statements that are required under the Act.
- 14.3 Minutes of ordinary Committee meetings
- (i) The Committee must ensure that minutes are taken and kept of each committee meeting.
  - (ii) The minutes must record the following—
    - the names of the members in attendance at the meeting;
    - the business considered at the meeting;
    - any resolution on which a vote is taken and the result of the vote;
    - any decisions made by the executive leadership team

## **15 Financial Matters**

- 15.1 The Camping Program will not charge joining fees nor membership fees. Income for The Camping Program will be raised from camp fees, donations, fund raising and grants from other bodies.
- 15.2 The Camping Program will hold bank accounts, into which all The Camping Program revenue is deposited and expenditure is managed.
- 15.3 The committee may approve expenditure on behalf of The Camping Program.
- 15.4 All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 committee members.
- 15.5 All funds of the Association must be deposited into the financial account of the Association no later than 10 working days after receipt.
- 15.6 With the approval of the Committee, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.
- 15.7 Financial records
- (i) The Association must keep financial records that—
    - correctly record and explain its transactions, financial position and performance; and
    - enable financial statements to be prepared as required by the Act.
  - (ii) The Association must retain the financial records for 7 years after the transactions covered by the records are completed.
  - (iii) The Treasurer must keep in his or her custody, or under his or her control—
    - the financial records for the current financial year; and
    - other financial records as authorised by the Committee.

15.8 Financial statements

(i) For each financial year, the Committee must ensure that the requirements under the Act relating to the financial statements of the Association are met.

(ii) Without limiting sub rule (1), those requirements include—

- the preparation of the financial statements;
- the review or auditing of the financial statements;
- the certification of the financial statements by the Committee;
- the submission of the financial statements to the annual general meeting of the Association;
- the lodgment with the Registrar of the financial statements and accompanying reports, certificates, statements and fee.

15.9 The Treasurer or the Secretary of The Camping Program are responsible for receiving funds on its behalf and issuing receipts for those funds

15.10 Any two members of the executive leadership team can authorise expenditure by the association and can sign cheques on behalf of The Camping Program.

**16 Alteration of Rules**

These Rules may only be altered by special resolution of a general meeting of the Association

**17 Winding up and cancellation**

17.1 The Camping Program may be wound up voluntarily by special resolution.

17.2 In the event of the winding up or the cancellation of the incorporation of the Association, the surplus assets of The Camping Program will become the property of Community Church Kyabram.

## Appendix 1 – Membership Policy

### THE CAMPING PROGRAM Inc. MEMBERSHIP POLICY

#### **Vision Statement**

The Camping Program is called by God and enabled by His Spirit to share the love of Jesus to people through a camping program. The various camps within this program are open to all people. The guiding principle for each camp is to move each camper closer to a greater understanding of God's love and purpose for their lives, through an integrated approach of love, acceptance, support and Biblical teaching.

Members of The Camping Program will have the opportunity to help direct the ongoing mission and work of the program; to set future priorities for growth and development.

#### **Eligibility**

- Anyone over the age of 18, and who agrees with the above-mentioned Vision statement is encouraged to be an annual member of The Camping Program. Given the number of children who attend camps, their parents or guardians are encouraged to take up the membership offer on their children's behalf.
- There are no joining or ongoing membership fees to be a part of The Camping Program.
- Unless the opt-out check box is checked on the registration form, annual membership of The Camping Program will be assumed.
- Annual Membership continues for 13 calendar months (to allow for fluctuations in the timing of camps), and will begin from the start of the camp that is registered for.
- An individual, or family can only have one membership; if registration for more than one camp occurs in a calendar year, then the most recent registration will signify the start date of membership.

#### **Membership Types**

- **Family** (for parents of children under the age of 18). This will allow younger participants of THE CAMPING PROGRAM camps to become involved and have a say in the future of camps.
- **Adult** – for individuals over the age of 18 years. A 17-year-old is considered to be an Adult member provided they are 18 at the time of the next Annual General meeting.
- **Life** – in certain circumstances the Committee may award this to an individual who has given exceptional service to The Camping Program. In considering the award of Life Membership an individual should have demonstrated significant, sustained and high quality service enhancing the reputation and future of The Camping Program.

## **Benefits of Membership**

- All current members are invited to the AGM and will have one vote (a family membership is eligible for one vote only). This will allow members to direct the makeup of the Committee; and to help set the future direction of The Camping Program.
- Members will be kept informed of news and forth-coming camps and events
- Members will be invited to any membership only events
- Committee members must be adult or life members of The Camping Program, and will be elected by secret ballot at the Annual meeting. Committee members need to agree to abide by the Code of Conduct and other policies, and to the principles of the Vision statement.
- Life members do not have to attend a camp annually, nor are they required to pay camp fees.

## **Appendix 2 – Code of Conduct**

### **THE CAMPING PROGRAM Inc. CODE OF CONDUCT POLICY**

#### **Preamble**

The Camping Program wants to provide safe camping experiences for all campers, regardless of age. This policy, whilst aimed at Camp Leaders, also applies to campers. The Camping Program expects all users of its services to abide by the following code of conduct.

A copy of this policy will be provided to all new leaders, and will be made available for reference at [www.thecampingprogram.org.au](http://www.thecampingprogram.org.au)

#### **Responsibilities of all people who attend camps with The Camping Program**

- all voluntary leaders and staff must hold a Working with Children's check. Staff are encouraged to also undergo a National Police Record Check
- follow all occupational health and safety policies and procedures (see Appendix 3 – Health & Safety Policy)
- report all hazards identified to the Camp Organizer
- comply with all lawful instructions
- not behave in a wilful and reckless manner

#### **Guidelines for Camp Leaders**

Under no circumstances engage in any of the following:

- invasion of the privacy of children when they are showering or in the toilet
- rough, physical, or sexually provocative games
- making sexually suggestive comments about a young person, even in fun
- inappropriate or intrusive touching in any form
- any ridiculing, rejecting or bullying of a child or young person
- using physical punishment
- working with campers alone - make sure another adult is present.
- one adult transporting children or young people on their own
- one adult sharing sleeping accommodation with children or young people

Activities at camp must have qualified people in charge for a specialised activity  
e.g. swimming, canoeing, water sports, ropes, bikes, horse riding

- check insurance, especially noting that some activities are no longer insurable e.g. motor bikes, go karts
- check leader ratios as these will vary among activities

## **Physical Contact**

The Camping Program acknowledges that there are often times when it is clearly appropriate (and desirable) for physical contact between adults and children. This can occur especially during activities where equipment needs to be fitted (e.g. harnesses, helmets, life jackets) or assistance provided (e.g. entering canoes, dismounting from a flying fox). It can also occur in a hug of congratulations or a friendly pat on the back. Leaders must use the following principles for touching children while respecting their privacy and safe feeling:

- Any touching must be with the child's permission, for example, ask, "May I adjust your harness?"
- Touching should be in the open and not secretive, with other people around and not especially focussed on one person.
- Touching should only ever be to support or respond to a need of the child and NEVER to meet the needs of an adult.
- Any touching must avoid body areas such as breasts, buttocks and the groin.

## **Personal Privacy**

Campers are entitled to privacy in personal matters and leaders must respect this.

If a leader believes there is evidence of a problem or disclosure of abuse, it is the leader's responsibility to report this - see 'responsibility' of staff' below.

## **Sleeping, showering and toilet privacy**

Boys and girls have separate sleeping, showering and toilet facilities and must stay in these designated areas.

- Adults with supervisory roles in these areas must respect the children's privacy, and knock or call out to let them know that they are entering the facility.
- Cleaning of areas such as toilets and showers is scheduled to be done at off-peak times when campers are less likely to be using the facilities.
- When cleaning is being carried out a sign to that effect is displayed at the entrance.

## **Avoiding compromising situations**

Leaders must avoid placing themselves or campers in situations where they can be compromised.

- Avoid being alone with a camper; stay in view of others
- Knock and ask permission to enter sleeping or private areas
- Use staff toilet and shower facilities where provided
- Avoid 'favourites' and treat all campers with the same level of friendliness and courtesy
- Seek the camper's permission before touching or adjusting equipment they are wearing
- Avoid situations that cause embarrassment or humiliation to campers
- Avoid sexual talk or behave in a way that promotes promiscuity or the acceptance of sexually explicit material.

## **Administering First Aid**

If a leader is required to render first aid or emergency treatment:

- They will involve another staff member of the same sex as any child requiring attention whenever possible. Otherwise they will endeavour to have another person present.
- Unless absolutely necessary, they will leave examination of private areas to health professionals.
- They will not force children to remove clothing for an examination
- They will record their actions in accordance with first aid recording procedures
- Refer to Camp Organiser with issues of campers requiring medication.

## **Favouritism and exclusiveness**

There is no place for 'favourites' at camp. In most instances, the showing of favouritism to a child or small group of children fosters the needs of the adult, not the child. It can create emotional dependence on the adult and isolate the child from peers. When a child needs a little extra attention, it must be given openly and carried out in such a way that no secretiveness or exclusivity is perceived by the child or others. This may also apply to other leaders as well as the campers.

## **Bullying and Harassment**

Bullying is an act of aggression causing embarrassment, pain or discomfort to another. It can take many forms - physical, verbal, gesture, victimisation, extortion, exclusion or offensive notes/graffiti etc. Forms of harassment, such as those of a sexual or racial nature, are also unwanted behaviour directed towards an individual. This sort of behaviour should not be ignored, and leaders should take appropriate action. For example, reporting incidents to the Camp Organiser, removing occasions for bullying by conducting well organised activities, or simply by being vigilant. Bullying and harassment must always be treated seriously - it is important to be consistent and assertive in dealing with all forms of bullying. The Camping Program Committee, will attempt to manage any unresolved act of bullying or harassment by following the Grievance Procedure outlined in this policy.

## **Dress Code**

Dress code is neat and respectable at all times. Leaders (including kitchen volunteers must wear clothing and footwear appropriate for the activity being undertaken

## Serious Misconduct

If a leader commits an act of serious misconduct the Camp Organiser may terminate the leader's role at camp, after consulting the Executive team of The Camping Program.

The following are examples of misconduct which could justify instant dismissal:

1. Theft, fraud or other dishonesty in connection with work
2. Gross insubordination. This includes disobedience of any lawful and reasonable order of the Camp Organiser
3. Assault in any form, on any member of camp leadership, camper or parent, or on anybody whilst on premises where the camp is being conducted
4. The use of abusive language
5. Skylarking
6. Sexual Harassment
7. Indecent behaviour
8. Attending camp under the influence of alcohol and/or non-medically required drugs or possessing or consuming such substances while at camp
9. Breach of confidentiality
10. Gross neglect of duty of such character as to endanger campers, parents, or visitors

It is the policy of The Camping Program that any leader or volunteer at a camp who is issued with an interim Negative Notice will cease working with children until the matter is resolved by the Department of Justice.

## Section 2 – Child Abuse

### General

Child abuse is an act by parents or caregivers that endangers a child or young person's physical or emotional health or development. Child abuse is not usually a single incident but takes place over time. In Victoria, a child is a person under eighteen years of age. Commonly recognized forms of child abuse include the following:

- **Physical abuse** occurs when a child suffers or is likely to suffer significant harm from an injury inflicted by a child's parent or caregiver. The injury may be inflicted intentionally or may be the inadvertent consequence of physical punishment or physically aggressive treatment of a child
- **Emotional abuse** occurs when a person repeatedly rejects the child or uses threats to frighten the child and creates an emotional environment which significantly damages the child's physical, social, intellectual or emotional development
- **Sexual abuse** occurs when a person uses power or authority over a child to involve the child in sexual activity. Physical force is sometimes involved. Child sexual abuse involves a wide range of sexual activity
- **Neglect** is the failure to provide the child with the basic necessities of life such as food, clothing, shelter, medical attention or supervision, to the extent that the child's health and development is, or is likely to be, significantly harmed

The following is a table of examples and indicators of this behavior. These lists are **not** intended to be exhaustive but rather to give **some** examples and indicators:

<b><i>Form of abuse</i></b>	<b><i>Examples</i></b>	<b><i>Indicators</i></b>
Physical abuse	Excessive discipline, severe beatings or shakings.	Unexplained bruises, burns, bites, broken bones, scars. Extreme aggression or withdrawal, inappropriate clothes for weather conditions to cover body, complaints of soreness, discomfort with physical contact and emotional problems.
Emotional abuse	Constant criticizing, belittling, insulting, rejection, providing no love, support or guidance.	Passive and aggressive behavioral extremes, habit disorders.
Child sexual abuse	Sexual touching, exposure to pornographic material, child prostitution, oral sex, intercourse.	Physical signs of injuries, poor self-esteem, lack of confidence, peer problems, unusual aversion to physical contact, excessive seductiveness, inappropriate age sexualized play, inappropriate expressions of friendship between a child and an adult.
Neglect	Failure to provide food, clothing, shelter, medical care, attention, hygiene or supervision.	Consistently hungry, malnourished, tired, inappropriately dressed for weather conditions, inadequately supervised.

It is important that camp leaders be aware of:

- Behavior that may be perceived by a child as intimidating or harassing
- Deliberate behavior by adults that intimidates or harasses a child
- All forms and indicators of child abuse

### **2.1 What should I do if a child tells me about abuse?**

- (i) Look at the child directly
- (ii) Accept what the child says and tell them that you believe them
- (iii) Be aware, while you listen, that the child may have been threatened
- (iv) Tell the child that they are not to blame
- (v) Do not press the child for information
- (vi) Reassure the child they are right to tell and that you take what they say very seriously
- (vii) Let the child know what you are going to do next, who you are going to tell and why, and roughly what will happen
- (viii) Let the child know if you intend to make a report to the appropriate authorities
- (ix) Finish on a positive note and tell the child that you are pleased that they told you
- (x) As soon as possible afterwards, make handwritten notes of exactly what the child said and the date and time of the meeting

### **2.2 Responding to suspicion of abuse**

Where a complaint of abuse comes to the notice of camp leaders in the form of hearsay or rumor, it should be investigated promptly and discretely by the Camp Organiser and reported to the Executive of The Camping Program. If the allegation is about the Camp Organiser, the Executive should investigate the complaint.

### **2.3 Responding to an Allegation of Abuse**

In the case that abuse is disclosed or discovered it is most important that the following occurs:

- Do not delay
- Do not act alone
- Do not start to investigate
- Consult with the person to whom you are accountable, the person responsible for Children's missions or someone else you can trust
- If the child is in immediate danger, call the police

Whilst it is not a legal requirement for a camp leader to report any such allegations, it is the view of The Camping Program that we have a moral responsibility (even in the absence of a legal duty) to notify the appropriate agency if there is a suspicion a child is being abused.

#### **Reporting Child Abuse**

The Camping Program is committed to reporting any evidence or disclosure of child abuse to Human Services Protective Services.

**After hours 131278**

**Camp Corop 1800 675 598**

**Camp Burnside 1800 075 599**

#### **Responding to suspicion of abuse**

When a complaint of abuse comes to the notice of a camp leader in the form of hearsay or rumour, it should be investigated promptly and discretely by the Camp Organiser.

If the suspicion involves a camp organiser, or camp staff, the Executive of The Camping Program must be notified.

In the case that abuse is disclosed or discovered it is most important that the following procedures are implemented:

- do not delay
- do not act alone
- do not start to investigate
- consult with the person to whom you are accountable, or someone else you can trust
- if the child is in immediate danger, call the police

### **Section 3 – Complaints & Discipline**

#### **Managing inappropriate behavior in children**

If a young child misbehaves, firm but gentle verbal correction, which is respectful and age appropriate, should be the first response. For a younger child, a short period of ‘time out’ may also be appropriate. This needs to be in a place where the child can be seen. A useful guide for determining the amount of time out is one minute for each year of the child’s age.

When a child is unresponsive or responds unsatisfactorily to reasonable requests to comply with a standard of behavior, which is respectful to him/herself, or other children and/or those supervising, the matter should be reported to a senior leader.

At no time is physical punishment or threat of physical punishment permissible, even with parental approval.

#### **A safe and respectful environment**

Leaders of children’s camps need to understand that they can have a significant influence on a child by what they say and do, and by how they act or react to a child. Because of this potential to influence, the following are important, as they will help the leader to be a positive influence on the children they are leading. It is important for leaders of children to:

- (i) Respect their personhood, by giving them time and attention, and showing respect for the opinions they express
- (ii) Recognize and affirm their competencies
- (iii) Allow, encourage and maximize participation by each child in any group activity
- (iv) Recognize that much of what we ask children to attempt as we seek to train or teach them is being tried by them for the first time. They must therefore be permitted the right to make mistakes without fear of criticism or rejection
- (v) Acknowledge and encourage children, according to age and ability, to be progressively involved in decision-making relating to programs being mounted for them
- (vi) Model equality of treatment of all children regardless of race, colour, creed or social status
- (vii) Model in the leaders’ lives the behaviour and beliefs which they attempt to encourage or instill in the children under their care

## **Leader's Complaints Procedure**

The following procedure is to be followed when dealing with complaints made within the camps and programs conducted by The Camping Program.

In the event of a complaint being made by any person, the leader receiving the complaint must adopt an attitude of concern, care and conciliation. Every complaint, no matter how trivial it may seem, must be given due regard, and every effort must be made to reassure the person that their grievance will be dealt with sincerely.

All complaints and any action taken must be brought to the attention of the Camp Organiser as soon as practicable after the complaint is made, whether or not it has already been resolved.

If a complaint is of a minor nature and can be settled satisfactorily immediately, the person receiving the complaint should take any appropriate action to settle the complaint there and then.

In such a case, the Camp Organiser should still discuss the matter with the person and reassure him/her.

If the complaint is of a more serious nature, or cannot be quickly resolved, it must be referred to the Camp Organiser for attention. Any action required to be taken to resolve such a matter will be at the discretion of the Camp Organiser.

The circumstances of every complaint must be considered thoroughly, with a view to ensuring that any necessary strategy is adopted to avoid a recurrence.

## **Discipline Policy**

### **3.1 Grounds for taking disciplinary action**

The Camping Program may take disciplinary action against a member in accordance with this policy if it is determined that the member—

- (i) has failed to comply with these Rules; or
- (ii) refuses to support the purposes of The Camping Program; or
- (iii) has engaged in conduct prejudicial to The Camping Program.

### **3.2 Disciplinary subcommittee**

If the Camping Program Committee is satisfied that there are sufficient grounds for taking disciplinary action against a member, the Committee must appoint a disciplinary subcommittee to hear the matter and determine what action, if any, to take against the member.

- (i) The members of the disciplinary subcommittee—
  - may be Committee members, members of The Camping Program or anyone else; but
  - must not be biased against, or in favour of, the member concerned.
- (ii) Notice to member  
Before disciplinary action is taken against a member, the Secretary must give written notice to the member—
  - stating that The Camping Program proposes to take disciplinary action against the member; and
  - stating the grounds for the proposed disciplinary action; and
  - specifying the date, place and time of the meeting at which the disciplinary subcommittee intends to consider the disciplinary action (the disciplinary meeting); and
  - advising the member that he or she may do one or both of the following—
    - (a) attend the disciplinary meeting and address the disciplinary subcommittee at that meeting;
    - (b) give a written statement to the disciplinary subcommittee at any time before the disciplinary meeting; and
  - setting out the member's appeal rights under rule 3.2.4.  
The notice must be given no earlier than 28 days, and no later than 14 days, before the disciplinary meeting is held.

### **3.3 Decision of subcommittee**

- (i) At the disciplinary meeting, the disciplinary subcommittee must—
  - give the member an opportunity to be heard; and
  - consider any written statement submitted by the member.
- (ii) After complying with sub rule (a), the disciplinary subcommittee may—
  - take no further action against the member; or
  - reprimand the member; or
  - suspend the membership rights of the member for a specified period; or
  - expel the member from the Association.
- (iii) The disciplinary subcommittee may not fine the member.
- (iv) The suspension of membership rights or the expulsion of a member by the disciplinary subcommittee under this rule takes effect immediately after the vote is passed.

### **3.4 Appeal rights**

- (i) A person whose membership rights have been suspended or who has been expelled from the Association under rule 3.3 may give notice to the effect that he or she wishes to appeal against the suspension or expulsion.
- (ii) The notice must be in writing and given—
  - to the disciplinary subcommittee immediately after the vote to suspend or expel the person is taken; or
  - to the Secretary not later than 48 hours after the vote.
- (iii) If a person has given notice under sub rule (ii), a disciplinary appeal meeting must be convened by the Committee as soon as practicable, but in any event not later than 21 days, after the notice is received.
- (iv) Notice of the disciplinary appeal meeting must be given to each member of the Association who is entitled to vote as soon as practicable and must—
  - specify the date, time and place of the meeting; and
  - state the name of the person against whom the disciplinary action has been taken; and
  - the grounds for taking that action; and
  - that at the disciplinary appeal meeting the members present must vote on whether the decision to suspend or expel the person should be upheld or revoked.

### **3.5 Conduct of disciplinary appeal meeting**

- (i) At a disciplinary appeal meeting—
  - no business other than the question of the appeal may be conducted; and
  - the Committee must state the grounds for suspending or expelling the member and the reasons for taking that action; and
  - the person whose membership has been suspended or who has been expelled must be given an opportunity to be heard.
- (ii) After complying with sub rule (i), the members present and entitled to vote at the meeting must vote by secret ballot on the question of whether the decision to suspend or expel the person should be upheld or revoked.
- (iii) A member may not vote by proxy at the meeting.
- (iv) The decision is upheld if not less than three quarters of the members voting at the meeting vote in favor of the decision.

## **Appendix III – Sexual Harassment Policy**

### **The Camping Program Inc. SEXUAL HARASSMENT POLICY**

#### **Introduction**

The Camping Program is committed to providing safe camps, free from sexual harassment. The Camping Program considers sexual harassment an unacceptable form of behaviour which will not be tolerated under any circumstances. This Camping Program *Sexual Harassment Policy* sets out the requirements for maintaining camps free from sexual harassment.

Sexual harassment is unlawful behaviour under the Commonwealth *Sex Discrimination Act 1984* and the Victorian *Equal Opportunity Act 1995*.

The Camping Committee will deal with any allegations or instances of sexual harassment.

The *Sexual Harassment Policy* applies to all people involved in any of the camps run by the Camping Program, including leaders and campers. Every person at any of the camps is responsible for maintaining a working environment free from sexual harassment and is potentially liable for his or her actions if sexual harassment occurs.

The responsibility for providing a working environment free from sexual harassment is discharged through the Camping Committee, Camp Organisers and leaders.

If a complaint of sexual harassment is made, or sexual harassment is observed or brought to the attention of a Camp Organiser, it must be acted upon immediately and managed in a sensitive and confidential manner. Camp Organisers have no option but to take action once a complaint is raised. Action will be taken against any person in the camp found to have sexually harassed another person.

Where sexual harassment is found to be substantiated, the consequences for the person against whom the complaint is made will depend on a range of factors. The consequences may include an apology, counselling, undertaking training, or disciplinary action such as being sent home.

In implementing the *Sexual Harassment Policy*, the Camping Program affirms its commitment to the prevention of sexual harassment and the implementation of equal opportunity principles.

These principles:

- uphold the rights of all people in the camp to a safe working and learning environment free from sexual harassment;
- support diversity and inclusive camping practices;
- promote respect amongst all people in the camp;
- encourage fair and equitable treatment of people in the camp;
- allow people in the camp to have redress against unfair and unreasonable treatment.

In accordance with the public sector values and employment principles in the Public Administration Act 2004, the Camping Program is also committed to respecting, promoting, supporting and implementing human rights set out in the *Charter of Human Rights and Responsibilities 2006*.

## Legislative Context

The Victorian Equal Opportunity Act 1995 addresses sexual harassment in Part 5. Section 85 (1) provides: *“a person sexually harasses another person if he or she -*

- a) makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person; or*
- b) engages in any other unwelcome conduct of a sexual nature in relation to the other person in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated that the other person would be offended, humiliated or intimidated”.*

Section 85(2) provides:

*“conduct of a sexual nature” includes –*

- a) subjecting a person to any act of physical intimacy;*
- b) making, orally or in writing, any remark or statement with sexual connotations to a person or about a person in his or her presence;*
- c) making any gesture, action or comment of a sexual nature in a person’s presence.”*

Similar provisions apply under the Commonwealth Sex Discrimination Act 1984. Sexual harassment can also amount to discrimination on the grounds of gender under both the Commonwealth and State legislation.

## What is sexual harassment?

Sexual harassment is conduct of a sexual nature that is unwelcome. Sexual harassment can be physical, verbal or written. It involves behaviour that could reasonably be expected to make a person feel offended, humiliated or intimidated. Even if the behaviour is not intended by the individual to be sexually harassing, it may still be unlawful.

Sexual harassment can be physical, verbal or visual and may include statements or transmissions by phone, fax, video conference, internet and e-mail, and will vary in the degree and extent to which it causes affront and distress. Both males and females can be subjected to sexual harassment from either persons of the same or opposite gender.

Sexual harassment may include:

- comments about a person’s sex life or physical appearance;
- comments of a sexual nature;
- suggestive behaviours such as leering and ogling;
- unnecessary physical intimacy such as brushing up against a person;
- physical contact such as touching or fondling;
- ‘flashing’ or sexual gestures;
- sexual propositions or repeated unwanted requests for dates;
- making promises or threats in return for sexual favours;
- sexual jokes, offensive telephone calls, displays of offensive photographs, reading matter or objects;
- sending jokes or graphics of a sexual nature by e-mail, internet or fax;
- unwelcome questioning about a person’s private life;
- offensive computer screen savers;
- unwanted requests for sex; and
- stalking, indecent assault or rape (which are also criminal offences).

Sexual harassment is not behaviour that is based on mutual attraction, friendship and respect. Where the interaction is consensual, welcome and reciprocal it will not amount to sexual harassment. However, judgements about what constitutes consensual, welcome and reciprocal interaction may be influenced by the relative power of the people involved. The capacity of persons in positions of authority to influence others and affect their well-being is a factor that will be taken into account in the management of any sexual harassment allegation.

It is not the intention of this policy to interfere in personal lives and relationships. However, the Camping Program has an obligation to ensure that sexual harassment does not occur and that professional standards of conduct are maintained in all of the camps. The effect of sexual harassment on those people involved and on the camp as a whole can range from annoyance to deep distress and can lead to an intimidating, hostile and offensive camp environment.

### **Criminal offences**

Sexual harassment may in certain circumstances constitute a criminal offence. A criminal offence of a sexual nature can include inappropriate touching and inappropriate verbal comments concerning people in the camp. Sexual harassment involving physical or indecent assault, stalking, making nuisance phone calls or the sending of obscene material using mail, e-mail or the internet, may be an offence under criminal law. Allegations of this nature must be reported to the police. The Camping Committee has a responsibility to deal with allegations even when the police are or have been involved, and to determine appropriate action in the context of the camp. In relation to complaints involving leaders, close liaison by the organiser with the Camping Program Committee and the police will be necessary at the outset to ensure that the police investigation is not interfered with or compromised in any way.

### **Allegations involving campers**

Sexual offences against children or young persons can have mandatory reporting implications, which require contact with the Department of Human Services. Leaders of the camps owe a duty of care to campers to protect them from risks of injury which are reasonably foreseeable.

### **Commitments**

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The Camping Program's commitment to the elimination of sexual harassment includes:

- widely publicising the policy and making available a copy in electronic form to all leaders;
- facilitating access to sexual harassment training;
- providing support for managing complaints;
- reviewing and updating policies

The responsibility for providing a camping environment free from sexual harassment is discharged through The Camping Committee, Camp Organisers and Leaders.

Under the Equal Opportunity Act 1995, the Camping Program may be held to be vicariously liable for the actions of their leaders unless they can demonstrate that they have taken all reasonable steps to prevent the conduct from occurring. A Camp Organiser or Camping Committee member is required to take action if aware of any behaviour which could constitute sexual harassment, even if no complaint has been lodged. Leaders can be liable for the actions of others if they authorise, encourage or assist sexual harassment. In some circumstances, inaction can amount to implicit authorisation.

The Camping Program is committed to ensuring that all persons in the camp are aware of their rights and obligations with respect to sexual harassment and is committed to providing leaders with appropriate training and access to information and services.

## Roles and Responsibilities

### The responsibilities of Camp Organisers include:

- (i) modelling appropriate behaviour;
- (ii) encouraging and instructing leaders in regards to safe and appropriate behaviour including warnings of not being left alone with a camper, behaviour in and near bedrooms, cabins, bathrooms and toilets and behaviour while counselling campers;
  - monitoring the camping environment to ensure as far as practicable that acceptable standards of conduct are maintained at all times and that sexual harassment is not tolerated;
  - promoting awareness of the avenues for advice and the complaints procedures with respect to sexual harassment as set out in this policy;
  - treating seriously complaints and behaviour which may constitute sexual harassment and taking immediate action;
  - treating complaints of sexual harassment with appropriate confidentiality;
  - ensuring that a person is not victimised for making, or being involved in, a complaint of sexual harassment;
  - identifying an appropriate contact person to provide information and support to complainants or respondents (the contact person should not provide support to a complainant and a respondent involved in the same matter);
  - referring to this policy in the Camp documents and meetings;
  - where an allegation involves a student, ensuring that an appropriate network of support, guidance, counselling and liaison with parents/guardians is established in accordance with duty of care obligations.

### All leaders have a responsibility to:

- comply with the Camping Program's Sexual Harassment Policy;
- participate in any training provided by the Camping Program;
- model appropriate behaviour;
- treat information in relation to sexual harassment allegations with appropriate confidentiality;
- ensure that a person is not victimised for making or being involved in, a complaint of sexual harassment.

### The role of any contact person is to:

- be familiar with the Sexual Harassment Policy including the procedures for dealing with allegations of sexual harassment;
- understand the negative effects that sexual harassment can have in the camp, and particularly the effect that making a complaint can have;
- act as a point of contact for a person considering making a complaint or seeking information about sexual harassment;
- provide the complainant with information about the various options and avenues for advice and the complaints procedures;
- understand that the role of the contact person is to provide information and support to the complainant, and does not extend to investigation, conciliation, making a judgement about what constitutes sexual harassment, or other intervention;
- participate in any training provided by the Camping Program.

## **Fairness**

The Camping Committee and Camp Organisers must ensure that every complaint is dealt with in a manner that is both procedurally and substantively fair. The principles of natural justice to be observed include:

- the right of each party to be heard;
- the right of each party to be treated fairly;
- the right of the respondent to have a witness or support person present at any meetings;
- the right of the respondent to know the allegations made against him or her;
- the right of the respondent to respond to the allegation(s) made against him or her;
- the right of both parties to a decision-maker who acts fairly and in good faith.

## **Counselling**

If at any stage throughout the procedure the complainant or respondent or any other person requires counselling, contact should be made with suitable counsellors.

## **Complaints**

Where sexual harassment is found to be substantiated, the consequences for the person against whom the complaint is made will depend on a range of factors. The consequences may include an apology, counselling, undertaking training, or disciplinary action including being sent home.