



# Henley Midmar Yacht Club

*Established: 1952*

## CODE OF CONDUCT AND BEST PRACTICE

This Code of Conduct has been developed to assist club members to understand the standards of conduct that are expected of them.

Members include all membership categories listed in the Henley Midmar Yacht Club ("HMYC") Constitution.

Members and their guests have a duty to promote and support the key principles of HMYC, as outlined in this Code of Conduct and to maintain and strengthen the integrity of the club.

### **1. General Principles**

- 1.1 Members and visitors will always show courtesy and respect to all others both on and off the water.
- 1.2 Competitors will always conduct themselves in a sportsmanlike manner on and off the water.
- 1.3 Members and visitors will observe all rules and regulations as set out by HMYC and not act in a way that creates risk to themselves or others.
- 1.4 HMYC does not tolerate harassment, bullying, threatening behaviour, swearing, discrimination on the grounds of a person's gender, ethnicity, sexual orientation, disability, or religion.
- 1.5 All decisions made by club members must be in the interest of the club and not be in the interest of individual members.
- 1.6 Any breach of this Code of Conduct will be reviewed by the HMYC Club Committee and appropriate disciplinary action will be taken.
- 1.7 HMYC is run by volunteers who work collaboratively to promote the love of sailing and competition on Midmar Dam. Personal time, expertise and dedication by many members is required to ensure the enduring nature, development, and smooth running of the club.

### **Key Elements**

This Code of Conduct of HMYC is based upon the following six key elements:

### **2. Conduct**

- 2.1 Every member has a responsibility to promote and support the key elements of the code of conduct by involvement in club affairs. Through their actions, it will maintain and strengthen trust and confidence in the integrity of the club. This means acting ethically and in a good sportsmanlike manner when at the club or representing the club both on and off the water. It also means acting in a considerate manner towards all club



members and visitors to the club. Club members acknowledge the rights of all people and treat all people with courtesy and respect.

### **3. Behaviour**

- 3.1 As a member of HMYC, it is your duty not to engage in behaviour that could constitute an act of disorder, misbehaviour, law breaking and discrimination or could be construed as harassment or bullying on and off the water. This means not engaging in emotional, physical, sexual, or verbal abuse including swearing. It also means not participating in any illegal activity, including the possession or consumption of illegal substances, the supply of tobacco or alcohol to minors, stealing or destruction of club or private property of any kind.
- 3.2 Conduct which is gross, obscene, or loud in nature or any activity that brings the club into disrepute is inappropriate and will not be permitted.

### **4. Participation in events**

- 4.1 Members, skippers, and crew members participating in any events, whether they be in a club event, representing the club or sailing privately, are expected to display respect of all others participating in the event or on the water. Members must not act in a way that creates risk to themselves or others.
- 4.2 Members participating in racing will accept briefing decisions, handicapping, protest and racing outcomes. Above all, members must not display rudeness or improper conduct off or on the water or do anything that is likely to be construed or considered as poor sportsmanlike conduct.
- 4.3 The current International Sailing Federation's Racing Rules of Sailing and its intent regarding sportsmanship and the rules of sailing will be followed by HMYC.
- 4.4 Members acknowledge that their participation in any event at the club may carry a risk to life or property. By taking part in club activities, members accept those risks and will always observe the rules and regulations as set out by the club from time to time.

### **5. Environmental protection**

- 5.1 The environmental protection of the foreshore and water of Midmar Dam is a vital concern to members and littering or polluting the water from a vessel is strictly prohibited.

### **6. Members Guests**

- 6.1 Members are responsible for all visitors they introduce to the club premises. They must ensure that whilst on the HMYC premises, guests abide by this Code of Conduct and will bear the responsibility for their guests or visitors.



## **7. Child Protection**

- 7.1 Parents/guardians or parent substitutes shall always be responsible for the conduct of the persons in their care under 18 years of age. Members, flag officers and volunteers who instruct, or assist, children in any club endorsed activity must make themselves familiar with this policy and the Safeguarding policy.

## **8. Disciplinary Actions**

- 8.1 Any refusal or neglect by a member to comply with this Code of Conduct, or if a member engages in any conduct deemed by the HMYC Club Committee to have breached this Code of Conduct, shall render a member liable for disciplinary action.
- 8.2 Complaints and/or reports associated with this Code of Conduct against any member or members must be made in writing to the Commodore.
- 8.3 The complaint will be considered by a minimum of five Club Committee members and determined if the complaint should be investigated.
- 8.4 If the Club Committee decides to follow through with an investigation, the Club Committee will contact the member in writing.
- 8.5 The member will be given full and fair opportunity to present his/her case either orally and/or in writing at a time and place to be determined.
- 8.6 At the conclusion of the representations, if any, which the member wishes to make, the Club Committee will consider all material before it. A deliberation on any action to be taken may not be given immediately after the representation. Other information may need to be gathered.
- 8.7 If a complaint is made against a member of the Club Committee, then that committee member will not play any part in deciding whether a complaint should be investigated. Further, they will not sit with other committee members in deliberation of their action or any determination of action or measures to be taken.
- 8.8 If the Club Committee considers upon the material finally available to them, that the conduct of the member is not in keeping with this Code of Conduct, the Club Committee will determine the appropriate action to be taken.
- 8.9 Such actions may include termination of membership, suspension of specific rights and privileges or such disciplinary measures as the Club Committee in its absolute discretion determines.
- 8.10 A member who is disciplined because of misconduct will be notified by the Club Committee in writing. Members have the right of appeal which must be made in writing to the Club Committee within 14 days of their disciplinary notice.



**9. Procedures to be followed in cases of alleged misconduct**

- 9.1 The Commodore will present the complaint and any other facts at the next scheduled Club Committee meeting.
- 9.2 The Club Committee will determine the next steps in the processing of the complaint and if deemed necessary implement this disciplinary procedure.
- 9.3 The Club Committee can also convene an emergency meeting (consisting of a minimum of five committee members) in the event of a complaint or incident requiring immediate action.
- 9.4 Failing a satisfactory explanation of the alleged complaint, the Club Committee may remove from office, suspend, or expel the offending member/s or apply such penalty as they may determine.
- 9.5 Any vote on disciplinary action shall be carried by a three-fifths majority of the Club Committee present and voting on the proposed action.

**10. Appeals procedure**

- 10.1 A member who is dissatisfied with any disciplinary action taken against him/her may appeal to a Special Committee against the action. Unless an appeal is lodged in writing 14 days it will be assumed that the member accepts the Club Committee's decision. Grounds for appeal are as follows:
  - 10.1.1 The severity of the disciplinary action
  - 10.1.2 A failure by the Club Committee to follow procedures as detailed in this Code of Conduct.
- 10.2 Letters of appeal must be addressed to the Commodore of HMYC and give full details under which the appeal is being brought.

**11. Conduct of appeals**

- 11.1 Appeals will be heard by a Special Committee of HMYC consisting of three members. One member to be nominated by the Club Committee, one member to be nominated by the member concerned with the dispute and one member to be nominated by the Flag Officers.
- 11.2 The Special Committee will meet within 14 days of the appeal being lodged. The appellant will have an opportunity to present his/her case at the appeal. He/she will also have the right to be accompanied by a friend or representative at the appeal, if so desired.
- 11.3 The full Special Committee may confirm, amend, or reject the disciplinary action which is the subject of the appeal. Where possible a decision will be given to the appellant immediately after the meeting and confirmed in writing later.
- 11.4 There is no further right of appeal against the full Special Committee's decision.



**HMYC Club Committee**  
**1<sup>st</sup> February 2024**