

Policy and Procedures

October 2019





Policy Register

This Policy Register forms part of Rainbow Club Australia's Board Papers

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Policy 101

Member Rights

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 6/2019
Date for review	6/2024

Policy statement

Rainbow Club Australia is committed to developing an organisational culture that supports the legal and human rights of members and ensures that they are able to exercise those rights as outlined in relevant legislation including the:

- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Work Health & Safety Act 2011

Rainbow Club understands and supports the principles of fairness and human rights in all aspects of service delivery. It will ensure that services are provided in an environment free from discrimination, financial, sexual, physical and emotional abuse, neglect or exploitation.

Procedures

- Provide easily understood and accessible information to all members about what the organisation does and how members can contact us. A Welcome Letter is sent to new members outlining members rights, the standards members can expect and opportunities to provide feedback or make a complaint
- Ensure members have access to a fair and transparent system for making complaints and for reporting any breach of their rights
- Support members to exercise choice and participate in service delivery and direction
- Involve members in the development of Policy and Procedures that impact on their service

Policy 102

Information for Members

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 6/2019
Date for review	10/2024

Policy statement

Rainbow Club Australia ensures that information about the organisation's services and activities is made available to current and prospective members, referral and partner agencies, other stakeholders and the general community.

This information is available through various channels, including:

- Rainbow Club website
- My Portal - community portal for members
- Member Service Agreements

Accurate and up to date service information is made available to enable:

- New or prospective service members to make informed decisions about their membership of their Club
- Referring agencies to make appropriate referrals
- Staff to discuss and negotiate the expectations of members or referring agencies

Procedures

Specific information about services is provided to potential members that describe:

- **Who the services are for and the eligibility criteria**
The services of Rainbow Club are provided for children with a disability aged between 3 and 18. A disability is defined as being something that is permanent and significant.
- **How services are allocated**
Services are allocated on the basis of availability of lesson times within a particular Club. Lessons will only be allocated once the membership subscription for the term has been paid, an NDIS Service Agreement has been submitted or alternative subscription relief has been approved.



Applications to a Club where there are no available times for lessons, will be held on a waiting list, until such time as a position becomes available or the applicant chooses to withdraw their application.

- **Terms and conditions of services**
Terms and conditions of service are outlined in the Welcome Letter sent to new parents and the Service Agreement for NDIS funded members.
- **Other membership information, including costs or subscriptions**
The subscription policy is available on our website. The General Manager is responsible for planning, developing and reviewing all membership information.
- **Publication and distribution of information**
The General Manager is responsible for the publication of service information on our website, in the Rainbow Club Manual and within the Welcome Letter to new members.

Service Agreement

The Rainbow Club Service Charter outlines member rights and responsibilities in a way that is accessible and easily understood by members.

The Service Agreement

- Helping children with a disability learn to swim
- Our Clubs in NSW provide swimming lessons for children with a disability. They operate during the four school terms
- Rainbow Club believes that learning to swim is a right for all children, including those with a disability
- We recognise that concentrated and individual focus helps those with a disability acquire the skills needed to stay safe in an aquatic environment
- Our expectations of member/parent/carer responsibilities include the following and are detailed in full in the Welcome Letter issued at the time of joining:
 - ~ Willingness to be involved with the running of the local Club
 - ~ Adherence to subscriptions policy
 - ~ Dress code
 - ~ Safety and rules around the pool
 - ~ Transition program
 - ~ Supervising adults being present in the pool vicinity during lessons

Participation and feedback is welcome at Rainbow Club

- Participation opportunities exist for parents/ carers to be involved at Club level, board level and/or with the fundraising activities that occur throughout the year
- Feedback is welcome. Please refer to the Policy and Procedures: Compliments and Complaints section of the Welcome Letter for further information
- Parents are encouraged to discuss their child's disability, behaviours and goal with their teacher

Policy 103

Fees

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
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Responsibility:	General Manager
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Status	Approved 6/2019
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Date for review	6/2020
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Policy statement

Rainbow Club Australia is a registered charity and has an obligation to ensure that all lessons provided by its Clubs are utilised for the benefit of all children registered with Rainbow Club, whether presently swimming with a Rainbow Club or waiting for a place.

The amount of the subscription fee is prescribed by the Board from time to time. It is a membership subscription and not a fee for lessons, therefore, no refunds are issued in the event that a child cannot attend a particular class (or classes).

Procedures

- Subscription fees are required to be paid in advance of each term in order to secure a place on the schedule for the following term
- Where a member is accessing NDIA managed funding, a Service Agreement must be submitted and a Service Booking confirmed on the NDIS portal before the commencement of the term to secure a place on the schedule for the following term



- Families are asked to inform the Committee of their Club of any planned extended absence (due to holiday, respite, therapy or illness) so that lessons can be offered to a family on the waiting list on a casual basis
- All subscription fees will be forfeited and the lesson will be allocated to another child on the waiting list if three or more lessons are missed in any one term without prior notice being given to the Club Committee
- Credit card is the preferred method for the payment of subscriptions. Payment by cash is strongly discouraged
- Should parents have difficulty with making payments, the General Manager of may be able to assist by waiving the subscription for a term(s)

- Information about members may only be made available to other parties with the consent of the member and/or their parent/ carer
- All member records will be kept securely within the Salesforce system operated by Rainbow Club and updated, archived and destroyed according to the organisation's Member Records Policy (refer Policy 106).

Policy 104

Access to Information

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 2014
Date for review	10/2019

Policy statement

Rainbow Club Australia is committed to transparency in its operations and to ensuring it is open to public scrutiny. It will balance upholding the rights of individuals to privacy while respecting the confidentiality required to run the organisation.

Rainbow Club will prevent unauthorised persons gaining access to an individual's confidential records and permit individuals access to their own records when this is reasonable and appropriate. Accordingly, access to some Rainbow Club documents and records will be limited to specified individuals and not be available to others for viewing.

This policy applies to the internal records, member records and unpublished materials of Rainbow Club.

Procedures

Member records

- Member records will be confidential to members and to Club Committee members, teachers and staff

Board records

- Board minutes will be open to members of the organisation once approved as a true record by the Board, except where the Board passes a motion to make any specific content confidential
- All papers and materials considered by the Board will be open to members of the organisation following the meeting which they are considered, except where the Board passes a motion to make any specific paper or material confidential
- The minutes, papers and materials from any sub-committee meeting will be open to Board members and relevant staff, but not to the members of the organisation

Personnel files

- A personnel record is held for each staff member and teacher and contains:
 - ~ Contact details and contact details in case of emergency
 - ~ Swimming teacher qualifications if applicable
 - ~ Working with Children check number (WWC No.) and verification information
 - ~ Bank account and superannuation account Information
- Payroll is outsourced to ADP Payroll Solutions and all information regarding payroll and superannuation is hold on the ADP system
- Access to personnel information is restricted to:
 - ~ The individual staff member accessing their own file
 - ~ Relevant Club Committee members and staff

Corporate records

- Corporate records are those that contain confidential or commercially sensitive information about the organisation's business. They include:
 - ~ Financial accounts and records
 - ~ Taxation records
 - ~ Corporate correspondence with Fair Trading NSW and other Government agencies



- ~ The corporate key and other access or user name information
- ~ Records of staff or other internal meetings
- ~ Project management files
- ~ Contracts between the organisation and other parties
- Access to these records is limited to administrative staff and Board members. Contracts between the organisation and other parties

Requests for access: general records

All records and materials not falling into the categories above may be released to the public at the discretion of the General Manager. Any request for access to information should be directed to the General Manager, who will:

- Make available to staff or Board/Club Committee members information that they are entitled to access
- Refer any request from Rainbow Club members of the public for access to the organisation’s records or materials to the appropriate person

In considering a request, the General Manger will take into consideration::

- A general presumption in favour of transparency
- The relevant provision of the Rainbow Club Constitution regarding information to be made available
- The business, legal and administrative interests of Rainbow Club, including commercial confidentiality and privacy obligations

Where an external party requests access to information that requires staff to devote time to collating, copying or otherwise making material accessible the General Manager may determine a subscription to be charged.

Requests for access: member records

All members have the right to access their records and advise the organisation about inaccuracies.

A copy of this policy is available to be reviewed in the Rainbow Club Manual and on our website.

- Any request for access to information should be directed to the General Manager
- The General Manger will maintain a record of member requests to access files
- Making fair and appropriate decisions about permitting or refusing access to personal information
- Providing access for members or former members to access their own confidential information

- Advising members refused access to personal information how to appeal (if appropriate)
- Enabling members to change records they believe to be inaccurate or misrepresenting when appropriate

Requests for information about members from outside agencies or individual will be referred to the General Manager. Before any information is released, the General Manger will contact the member concerned to obtain consent.

Appeals

Individuals who are refused access to their own records or information files may appeal by the following the Managing Complaints and Grievances Policy ([refer Policy 108](#)).

Policy 105

Privacy

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
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Responsibility:	General Manager
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Status	Approved 2014
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Date for review	10/2019
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Policy statement

Rainbow Club Australia is committed to protecting and upholding the right to privacy of members, staff, volunteers and other stakeholders.

Rainbow Club only collects and stores personal information that is necessary for the function of the organisation and its activities.

Rainbow Club requires the Board, staff and members to be consistent and careful in the way they manage what is written and said about individuals and how they decide who can see or hear this information.

Although Rainbow Club is not subject to the Privacy Act, 1988 (turnover under \$3 million) the organisation will follow the guidelines of the Australian Privacy Principles in its information management practices.

Definitions

‘**Member**’ is the Rainbow Club member.
‘**Staff**’ includes paid Rainbow Club staff and teachers, and volunteers (Club Committee members and inpool volunteers).



Procedures

Dealing with personal information

Rainbow Club staff will:

- Use fair and lawful ways to collect personal information
- Ensure that people know what sort of personal information is held, what purposes it is held for and how it is collected, used, disclosed and who will have access to it
- Ensure that personal information collected or disclosed is accurate, complete and up-to-date, and provide access to any individual to review information or correct wrong information about themselves
- Take reasonable steps to protect all personal information from misuse and loss and from unauthorised access, modification or disclosure
- Destroy or permanently de-identify personal information no longer needed after legal requirements for retaining documents have expired

Responsibilities for managing privacy

All staff are responsible for the management of personal information to which they have access and in the conduct of research, consultation or advocacy work.

The General Manager is responsible for content in Rainbow Club publications, communications and website and must ensure:

- Appropriate consent is obtained for the inclusion of any personal information about any individual including Rainbow Club personnel
- That the website contains a privacy statement that makes clear the condition of any collection of personal information from the public through their visit the to the website

The Privacy Contact Officer

The Privacy Contact Officer will be the General Manager. The General Manager will be responsible for:

- Ensuring that all staff are familiar with the Privacy Policy and administrative procedures for handling personal information
- Ensuring that members and other relevant individuals are provided with information about their rights regarding privacy
- Handling any queries or complaints about a privacy issue

Website privacy statement:

[myrainbowclub.org.au](https://www.myrainbowclub.org.au)

Rainbow Club Australia operates <https://www.myrainbowclub.org.au/> (the "Site"). This page informs you of our policies regarding the collection, use and disclosure of Personal Information we receive from users of the Site. We use your Personal Information only for providing and improving the Site. By using the Site, you agree to the collection and use of information in accordance with this policy.

Information Collection and Use

While using our Site, we may ask you to provide us with certain personally identifiable information that can be used to contact or identify you. Personally identifiable information may include, but is not limited to your name ("Personal Information").

Log Data

Like many site operators, we collect information that your browser sends whenever you visit our Site ("Log Data"). This Log Data may include information such as your computer's Internet Protocol ("IP") address, browser type, browser version, the pages of our Site that you visit, the time and date of your visit, the time spent on those pages and other statistics. In addition, we may use third party services such as Google Analytics that collect, monitor and analyse this data.

Communications

We may use your Personal Information to contact you by email and or with email newsletters.

Cookies

Cookies are files with small amount of data, which may include an anonymous unique identifier. Cookies are sent to your browser from a web site and stored on your computer's hard drive. Like many sites, we use "cookies" to collect information. You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our Site.

Security

The security of your Personal Information is important to us but remember that no method of transmission over the Internet, or method of electronic storage, is 100% secure. While we strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee its absolute security.

Changes to this Privacy Policy

This Privacy Policy will remain in effect except with respect to any changes in its provisions in the future, which will be in effect immediately



after being posted on this page. We reserve the right to update or change our Privacy Policy at any time and you should check this Privacy Policy periodically. Your continued use of the Service after we post any modifications to the Privacy Policy on this page will constitute your acknowledgment of the modifications and your consent to abide and be bound by the modified Privacy Policy. If we make any material changes to this Privacy Policy, we will notify you either through the email address you have provided us, or by placing a notice on our website.

Policy 106

Member Records

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 2014
Date for review	10/2019

Policy statement

Rainbow Club Australia is committed to collecting, keeping and disposing of member records in ways that protect privacy and ensures confidentiality is maintained.

This policy will operate in conjunction with the organisation's Privacy Policy ([refer Policy 105](#)).

Procedures

Rainbow Club will:

- Collect and keep information about members only when it is relevant and necessary to the provision of membership
- Ensure data about each member is up to date, accurate and secure whether stored in hard copy or electronically in accordance with privacy legislation
- Take account of any relevant cultural or religious sensitivities of members regarding the way information about them is collected, stored and used
- Store member records for the required length of time
- Transfer or dispose of member records correctly
- Provide information to members about how their personal information is managed

When the organisation collects, keeps and uses identifiable data about a member, the following procedures will be implemented to guarantee the privacy of the member, ensure that records are appropriate, accurate and secure.

Collecting identifiable data

The organisation collects and records the following information about individual members:

- Name and contact information
- Parent/carer details and contact information
- Date of Birth
- Disability
- Behavioural aspects that may be an issue in relation to learning to swim
- Parent/carer and/or member aspirations/goals for development

This information is collected for the purpose of:

- Liaising with the parent/carer
- Tailoring a learn to swim program to meet the needs of the member
- Evaluating the member's progress against nominated aspirations or goals

The General Manager will review the scope of information collected every five (5) years to ensure that only relevant information is being recorded.

Member registrations

The Member Registration Form on the website requests the person's consent to provide the information and inform them of:

- The reason for requesting the information
- How the information will be recorded and stored
- What other information will be recorded during the provision of service
- How their privacy will be protected
- Their rights to view or access information about them

If the member and/or their parent/carer have any concerns or specific requests about the way their personal information is recorded or managed, they can liaise directly with the General Manager.

Storage and use of identifiable data

Information collected about individual members is stored in the following ways:

- Data collected via registration is stored in electric form within the Rainbow Club Salesforce system
- This information is kept secure under password protection
- The General Manager, staff, Club Committee and Lead teachers are authorised to access the Salesforce system



Members may request access to their files by sending an email to the General Manager. Access by a member to their file require the authorisation of the General Manger and will be arranged by the General Manager or Club Committee member once approved. A request for access by a member must be considered within seven (7) business days.

Maintaining and verifying member records

Club Committee members are responsible for reviewing and updating member records on a regular basis.

A record will be created for each member upon registration as above and be updated whenever details change. In recording personal information about members, Club Committee members and/ or the General Manager will ensure that only necessary information is collected in relation to the child’s attendance and goals for swimming with Rainbow Club.

File management

Club Committee members are responsible for managing member records on Salesforce, maintaining the register of member records and managing the archiving and disposal of member records.

Record disposal

Member records are kept for seven (7) years from the last point of service provision.

Policy 107

Member Feedback

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 2014
Date for review	10/2019

Policy statement

Rainbow Club Australia actively seeks the input of members and encourages them to provide feedback, both positive and negative, as a source of ideas for improving services and activities.

Rainbow Club will:

- Foster a service culture that encourages open and honest communication

- Inform members about the standard of service they can expect
- Protect the right of members to provide feedback and to make complaints about service delivery
- Encourage and make it easy for people to provide feedback
- Record and analyse information arising from feedback and use it to improve services

Definitions

‘Member’ is the Rainbow Club member.

‘Staff’ includes paid Rainbow Club staff and teachers, and volunteers (Club Committee members).

Procedures

Staff will be responsible for ensuring that members are informed of what they can expect from the service and how they may provide feedback. Information will be provided to members via the Rainbow Club website and Welcome Letter.

All staff working with members are responsible for ensuring they are familiar with the procedures for members to provide feedback, and for:

- Accepting and reporting informal feedback
- Offering members an opportunity to provide formal feedback when appropriate

Initiating and collecting member feedback

Feedback may be provided by individual members on their initiative or in response to requests from the organisation.

- Individual members may provide informal feedback by speaking with their Club Committee member and/or teacher. Informal feedback will be dealt with at Club level, unless it requires escalation to the General Manager
- Individual members may provide formal feedback by sending an email to the General Manager. Formal feedback will receive written or verbal acknowledgement, and appropriate action

Compliments and Complaints Register

The General Manager will be responsible for receiving and making a record of formal feedback. Formal feedback will be recorded in the Compliments and Complaints Register.

The General Manager will be responsible for reviewing feedback records and identifying any action as and when required.

The organisation will seek feedback from members via a biannual survey administered by the General Manager or at the annual Rainbow Connect.



Policy 108

Managing Complaints and Grievances

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 2018
Date for review	2/2020

Policy statement

Rainbow Club Australia is committed to ensuring that any person or organisation using Rainbow Club's services or affected by its operations has the right to lodge feedback or a complaint or to appeal a decision of the organisation and to have their concerns addressed in ways that ensure access and equity, fairness, accountability and transparency.

The organisation has a complaints and appeals management procedure that:

- Is simple and easy to use
- Is effectively communicated and promoted to all stakeholders
- Ensures complaints or appeals are fairly assessed and responded to promptly
- Is procedurally fair and follows principles of natural justice
- Complies with legislative requirements

The Managing Complaints and Grievances Policy and Procedures is documented in the Rainbow Club Manual and made available on the Rainbow Club website.

All Clubs, staff members, volunteers or members will be informed of their rights and responsibilities with regards to complaints and appeals at the earliest possible stage of their involvement with the organisation.

Definitions

'Club' is a Chartered Rainbow Club.

'Complainant' is the member or person lodging the complaint.

'Member' is the Rainbow Club member.

'Staff' is any person in the employ of Rainbow Club who is paid for their role. This includes administrative staff and teachers.

'Volunteer' is any person engaged by Rainbow Club as a volunteer. This includes Club Committee members and inpool volunteers.

Principles

Rainbow Club:

- Considers all complaints received
- Treats all complainants with respect, recognising that the issue of complaint is important to the complainant
- Maintains confidentiality of parties involved, keeping any information private to those directly involved in the complaint and its resolution
- Ensures advocacy is available to members who make a complaint and require support
- Ensures that cultural and linguistic needs are supported
- Resolves complaints, where possible to the satisfaction of the complainant
- Deals with all complaints in a timely manner
- Keeps parties to the complaint informed of progress of the complaint
- Ensures that Board, staff, volunteers and members are given information about the Managing Complaints and Grievances Policy and Procedure

Procedures

Information for all Board, staff, volunteers, members or other stakeholders

STEP 1: Club Committee

All our Clubs are run by volunteers and we ask all parents to respect their commitment and time. In the event that a member has a complaint this should be made in the first instance, to a member of the Club Committee.

The relevant member of the Club Committee will endeavour to resolve issues to the best of their ability.

STEP 2: General Manager

In the event the Club Committee is unable to resolve the issue or the complaint is about the Club Committee or a member of the Club Committee, the complainant should contact the General Manager and advise them of the nature of the complaint with details of dates and times as appropriate. The General Manager will respond to complaints within seven (7) working days.

In investigating a complaint, the General Manager will seek statements from all parties to the complaint and if necessary seek statements from any witnesses.

The General Manager is not obliged to disclose the information received in such statements but will take into account the environment, context



and responsibilities of those who contribute such statements.

STEP 3: Board of Rainbow Club Australia

Should a member wish to raise the matter further, they should contact the President of Rainbow Club Australia or any member of the Board of Rainbow Club Australia.

Should the President or other Board member deem it necessary to bring the matter to the Board, they will consider the matter. If the Board is of the opinion that a Club, staff member, volunteer or member:

- Have persistently refused or neglected to comply with a provision or provisions of these rules
- or
- Have persistently and wilfully acted in a manner prejudicial to the interests of Rainbow Club

The Board may resolve to:

- Expel the Club, staff member, volunteer or member
- or
- Suspend the Club or member from membership of the organisation for a specified period; or suspend the staff member or volunteer from the organisation
 - Take appropriate disciplinary action regarding the Club, staff member, volunteer or member

If the Board passes a resolution to take action:

The Board Secretary shall, as soon as practicable, cause a notice in writing to be served on the Club, staff member, volunteer or member which:

- Sets out the resolution of the Board and the grounds on which it is based
 - States that a representative of the Club, staff member, volunteer or member may address the Board at a meeting to be held not earlier than 14 days and not later than 28 days after service of the notice
 - States the date, time and place of that meeting
- and
- Informs the Club, staff member, volunteer or member that they may do either one or both of the following:
- ~ Attend and speak at the meeting or appoint a representative (or representatives) to attend and speak at the meeting
- ~ Make a written submission to the Board at or prior to the date of the meeting relating to the resolution

At the meeting, the Board shall:

- Give the Club, staff member, volunteer or member or their representative/s an opportunity to make oral presentations
 - Give due consideration to any written submissions to the Board either at or prior to the meeting
- and
- By resolution, determine whether to confirm or to revoke the resolution

Where the Board confirms a resolution:

The Board Secretary shall, within seven (7) days after that confirmation, by notice in writing inform the Club, staff member, volunteer or member of the fact and of their of appeal.

A resolution confirmed by the Board does not take effect:

- Until the expiration of the period within which the Club, staff member, volunteer or member entitled to appeal against the resolution does not exercise their right of appeal within that period
- or
- Where within that period the Club, staff member, volunteer or member exercises their right of appeal

Upon expulsion of a Club that is a Rainbow Club:

- The Club Charter is automatically cancelled
- The Club Charter must be returned and the right to use the name Rainbow Club and any insignia of the organisation will be automatically withdrawn or surrendered
- If the allegation involves a criminal offence, it must be referred to the police and the Board notified

STEP 4: Appeal to a General Meeting

A Club, staff member, volunteer or member may appeal against a resolution of the Board within 7 days after notice of the resolution.

The appeal by a Club, staff member, volunteer or member to a General Meeting of the organisation is by lodging a notice to that effect with the Board Secretary.

Upon receipt of a notice from a Club, staff member, volunteer or member, the Board Secretary shall notify the Board. The Board shall convene a General Meeting of the organisation to be held within 21 days after the date of which the Board Secretary received the notice.



At the General Meeting:

- No business other than the question of the appeal shall be transacted
- The Board and the Club, staff member, volunteer or member (or their representative/s) shall be given the opportunity to state their respective cases orally or in writing or both and
- The present organisation members shall vote by secret ballot on the question of whether the resolution should be confirmed or revoked

If, at the General Meeting, a special resolution is passed in favour of the confirmation of the resolution, the resolution is confirmed.

STEP 5: Right of appeal to an external body

If a complainant is not satisfied with the outcome or process of the internal complaints procedure, a formal external complaints procedure may follow.

The complainant will be referred to the NSW Ombudsman – Disability Services.

Record keeping: Complaints Register

The General Manager will maintain a Complaints Register and will record the following for each complaint or appeal:

- Details of the complainant and the nature of the complaint
- Date lodged
- Action taken
- Date of resolution and reason for decision
- Indication of complainant being notified of outcome
- Complainant response and any further action

Copies of all correspondence will be kept with the Complaints Register.

The Complaints Register and files will be confidential and access is restricted to the General Manager and/or the Board President.

Policy 109

Policy Development and Control

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 2014
Date for review	2/2020

Policy statement

The Policy and Procedures of Rainbow Club Australia are designed to provide guidance to each Board member, staff member and volunteer in performing their roles.

Compliance with Rainbow Club's Policy and Procedures is undertaken by each Board member, staff member and volunteer when they take up their roles with Rainbow Club.

Each policy is documented in a standard template and has an identified responsible person and a regular schedule for review.

Definitions

'Member' is the Rainbow Club member.

'Staff' is any person in the employ of Rainbow Club who is paid for their role.

This includes administrative staff and teachers.

'Volunteer' is any person engaged by Rainbow Club as a volunteer. This includes Club Committee members and inpool volunteers.

Procedures

Review of policies

On or before the date of the next scheduled review for a policy (or as soon as is practicable), the person responsible will:

- Notify the people affected by the policy of the review timeframe
- Invite their input on any changes needed
- Collate and summarise the information received
- Draft any changes and put forward to the Board for approval

Changes to policies outside of review schedules

Any Board member, staff member or volunteer may suggest a change to an existing policy, or the development of a new policy outside of the review schedule.

Information on the need for a change should be given to the person responsible for the policy's review.

Approval for any change in procedures will be the responsibility of the General Manager and approval for any change in the Policy Statement will be the responsibility of the Board.

Breaches of a policy or procedure

Where a Board member, staff member or volunteer believes a policy or procedure has not been followed, they should in first instance, discuss this with the person or group involved in the apparent breach.



If this does not resolve the issue, the Board member, staff member or volunteer may then raise the issue with the person responsible for the policy concerned as identified in the schedule for that policy.

Policy 110

Financial Delegation of Authority

Applies to:	Board Staff Club Committee
Responsibility:	Finance Committee Chair General Manager
Status	Approved 6/2016
Date for review	10/2019

Policy statement

This Rainbow Club Australia policy:

- Outlines the importance of adequate segregation of duties in achieving a robust internal control environment
- Sets out the important aspects in the authorisation process for all transactions and the subsequent release of funds to pay for such transactions
- Differentiates between the approval process from the authorisation to release funds process
- Sets out the roles and responsibilities for the various participants in the processes

Background

Adequate segregation of duties means that no single individual should have control over two or more phases of a transaction or operation.

There are five distinct phases involved for each transaction.

Transactions can take many forms, eg. authorising timesheets for payroll, operating agreements with pool owners, Club and personal expenses, credit card payments and payment of invoices.

The five phases are:

1. Approval of the Annual Business Plan/Budget or other project or event plan by the Board of Rainbow Club
2. Ordering or co-ordination of goods or services as approved in the Annual Business Plan/Budget
3. Approval of invoices for goods or services
4. Set up payment method in bank accounts and record in Rainbow Club's accounting systems
5. Authorise the release of funds from the bank account to pay for the goods or service

Procedures

For approving transactions and release of funds to pay for transactions across Rainbow Club

1. All payments must be in accordance with an approved Annual Business Plan/Budget

All payments from any Rainbow Club bank accounts must be in accordance with the Rainbow Club Manual, the Club Charter, Annual Business Plan/Budget approved by the Board of Rainbow Club, subject to the budget being met.

In the event that expenditure outside of the Annual Business Plan/Budget needs to be made, specific Board approval must be obtained and recorded in the minutes of the Board Meeting.

Invoices/timesheets etc. must be approved by the person ordering or organising the goods or service and approved by the General Manager (or other staff member delegated by the General Manager), President, Finance Committee Chair or other Board member nominated from time to time or who is a member of the Finance Committee.

2. Organising or ordering or co-ordinating goods and services

The person or persons ordering or organising the goods or services in accordance with approved budgets, may be:

- Club Committee members
- General Manager or other staff delegated authority by the General Manager from time to time

3. Approval of payment for goods and services

The person or persons signing off the goods or services may be:

- Club Committee members
- General Manager or other staff delegated authority by the General Manager from time to time on the proviso that the authorising person is a different person to the person in point 2 above

4. Setting up and recording accounts for payment

The person or persons organising and recording the accounts for payment may be:

- Accounts Officer
- General Manager or other staff delegated authority by the General Manager from time to time



5. Releasing funds for payment

Two persons are required to electronically approve/authorise release of funds from the bank account or sign cheques for payment. These two persons may be:

Any one of the following Board positions plus any one of the following staff, provided always that one of the approvers is a member of the Board and that all funds being released are in accordance with the budget approved by the Board and that the Annual Business Plan/Budget is being met.

Board positions

- President
- Vice President
- Finance Committee Chair
- Board member who is a member of the Finance Committee
- Other Board member nominated by the Board from time to time

Staff

- General Manager
- Accounts Officer

Notes

a. Individual commitments must receive sign-off

The approval of the Annual Business Plan/Budget or other project or event plan by the Board is not in itself sign-off of the various individual transactions that may, collectively, form that budget or project. While the Board may pre-approve the expected total budget for the year or a project, each individual commitment (eg. order, invoice etc.) requires separate sign-off by a person with adequate authority under this Financial Delegation of Authority policy, prior to the release of funds.

b. Special events

At the Board's discretion they may grant a special delegation of authority limit (eg. to the Malabar Magic Committee or Family Carnival Committee) to facilitate approval of large individual transactions. Any special delegation of authority limit would normally be subject to approval of an overall budget for the event or project and expire at the conclusion of the event or project.

c. Difference between approving a transaction and authorisation to release funds

The transaction approval process and the authorisation to release funds process are two separate processes that work in concert but with different purposes and responsibilities.

The release of funds process comprises the physical payment of invoices or the outflowing

of funds and occurs subsequent of the approval process. The primary payment or release of funds mechanisms is via direct debits, payment by credit card and the electronic releasing of funds through online banking facilities. Occasionally cheques are issued.

The purpose of the release of funds process is therefore to ensure that:

- All payments have been appropriately approved in accordance with this Financial Delegation of Authority policy
- and
- Payee details are correct, ie. made out in the correct name and electronic banking instructions (account numbers) are correct

Given the importance of the release of funds process there are two approvers required for all direct debits and all releases of funds.

d. Approving and authorising by the same individual

In terms of this Financial Delegation of Authority policy, it is possible for the same person to commit the organisation to future expenditure and to act as one of the authorisers for the subsequent release of the funds for payment under this policy. This is acceptable as there are always two authorisers (and hence one approver is always independent of the approval process) for the release of the funds.

e. Role and guidelines for approvers

Approvers must be diligent in reviewing any request that requires their approval. This includes setting up of direct debits, issuing of cheques and any expenditure using corporate credit/charge cards. It is the responsibility of all approvers to ensure that:

- The commitment is valid and justified and costs or revenues expected to arise have been adequately substantiated and the goods or services have been received
- Where applicable, GST and/or other taxes have been properly considered
- They are sufficiently independent and appropriately authorised under this Financial Delegation of Authority policy to approve the transaction or commitment
- They have a clear understanding of the nature of payment being approved
- Sufficient supporting documents have been provided to justify the expenditure or commitment
- That direct debits, cheques or payments are made out to the appropriate party ie.



as per tax invoice/agreement. Similarly, that payments being made electronically are credited to the correctly specified account

Notwithstanding the above, approvers should review the payment lists, and on an exception basis, question any unusual payments (eg. large amounts, unusual names or multiple payments to same names, etc.)

f. Role of the Accounts Officer

The Accounts Officer is the person who prepares the documentation for approval of release of funds.

The Accounts Officer:

- Is responsible for ensuring that the request to release funds has been approved in accordance with this policy, that taxes have been properly considered and the request has been correctly coded for the accounting purposes
- Sets up the payment in the bank account and co-ordinates approvals by two individuals in accordance with this policy
- Cannot approve a payment but can authorise payments as a second, separate independent authoriser is also required
- Is responsible for ensuring that reconciliations for all material accounts are prepared and reviewed on a monthly basis

g. Role of the Finance Committee Chair

The Finance Committee Chair is responsible for ensuring:

- That actual or potential areas for conflict of duties are identified, minimised and monitored
- Appropriate audit and review processes are developed and implemented to confirm compliance with this policy, with reporting to the Board, as appropriate
- The Financial Delegation of Authority policy remains current and relevant
- Any exceptions to this Financial Delegation of Authority policy are approved by the Board
- Recommending to the Board any changes to this Financial Delegation of Authority policy and any associated tables, as required

h. Role of the General Manager

The General Manager is authorised to execute contracts and approve transactions on behalf of the organisation provided they have been approved as part of the Annual Business Plan/

Budget approved by the Board, subject to the budgeted income and expenditure totals being met.

In the event that expenditure outside of the Annual Business Plan/Budget needs to be made, specific Board approval must be obtained and appropriately recorded.

Policy 111

Volunteers

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
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Responsibility:	General Manager
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Status	Approved 2016
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Date for review	2/2020
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Policy statement

Rainbow Club Australia relies heavily on the unpaid work of volunteers and values their contribution highly. All volunteers shall be treated with respect and gratitude for their contribution.

Volunteers shall be engaged at the discretion of the management of Rainbow Club.

Volunteers shall carry out duties assigned by the management of Rainbow Club.

All volunteers shall be, as far as possible:

- Protected from harm
- Appropriately trained for the role they are required to perform
- Be adequately covered by an appropriate volunteer insurance policy

Definitions

‘Volunteer’ is any person engaged by Rainbow Club as a volunteer. This includes Club Committee members and inpool volunteers.

Procedures

Recruitment

All volunteers are recruited for defined positions.

Induction

All volunteers shall be offered appropriate resources, information, briefing or training to discharge their functions and shall be supported by relevant staff to carry out their duties.



Code of Conduct

Rainbow Club Australia volunteers agree to abide by the Rainbow Club volunteer Code of Conduct. Rainbow Club's inpool volunteer Code of Conduct includes the NDIS Code of Conduct.

Dispute resolution

All volunteers shall be entitled to appeal to the procedures set out in the Managing Complaints and Grievances Policy (refer Policy 108).

Inpool volunteer Code of Conduct

NDIS Code of Conduct

The NDIS Code of Conduct requires workers and providers delivering NDIS supports and services to do the following in providing those supports and services:

1. Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions
2. Respect the privacy of people with disability
3. Provide supports and services in a safe and competent manner, with care and skill
4. Act with integrity, honesty and transparency
5. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability
6. Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability
7. Take all reasonable steps to prevent and respond to sexual misconduct

In addition, Rainbow Club inpool volunteers agree to:

- Behave professionally and ethically in a manner free from harassment and bullying and accept responsibility for my actions
- Perform all duties to the best of my ability at all times
- Commit to the mission and goals of Rainbow Club so as to provide the best possible service to Rainbow Club and its members
- Ensure to the best of my ability, the safety, health and welfare of children in the Club, other teachers, and those who participate in Rainbow Club events
- Treat all with whom I am in contact with courtesy and respect
- Abide by all Rainbow Club Australia Policy and Procedures

Policy 112

Risk Management

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
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Responsibility:	General Manager
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Status	Approved 8/2019
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Date for review	10/2019
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Policy statement

The Board of Rainbow Club Australia has ultimate responsibility for safeguarding the organisation and its personnel and for ensuring that adequate risk management processes are in place.

Risk management processes are designed in order to prevent injury or harm to individuals, to protect the assets and interests of the organisation and to limit the impact of any unavoidable risk for members, staff, volunteers, families and any other participants at events and functions.

The Board has established a Risk Management Committee whose role is to ensure that adequate resources are made available within the budget to implement all risk management processes.

The Board delegates the monitoring and reporting of risk management to the General Manager. The General Manager will be responsible for the day to day implementation of risk management procedures and as far as is practicable, mitigating all risks of injuries or illness and for ensuring that all staff and volunteers are aware of these procedures.

Definitions

'Member' is the Rainbow Club member.

'Staff' is any person in the employ of Rainbow Club who is paid for their role. This includes administrative staff and teachers.

'Volunteer' is any person engaged by Rainbow Club as a volunteer. This includes Club Committee members and inpool volunteers.

Procedures

Risk Management Plan

The General Manager will oversee the Risk Management Plan for the organisation. The Risk Management Plan will cover all aspects of the organisation's activities and document all potential risks and their risk rating.

This will include:



- Identifying actions to manage risk, time frames for any tasks and responsibility
- Identifying, eliminating, reducing and/or monitoring risk of all types associated with activities undertaken
- Providing instruction, training and supervision to all staff and volunteers to improve understanding of workplace safety
- Ensuring that each private and public pool used by Rainbow Club has a risk assessment or plan in place

Compliance checks

The General Manager will monitor the following:

- Currency and adequacy of insurance cover
- Probity and security of financial management
- Compliance with contractual arrangements and funding agreements in particular
- Compliance of all Rainbow Club Australia procedures with relevant legislation
- Compliance with the Workplace Health and Safety policy

Responsibilities

All staff and volunteers are responsible for maintaining an awareness of potential risks in their areas of responsibility, ensuring that procedures are followed, and for notifying the General Manager of any potential or actual risk.

Policy 113

Managing Challenging Behaviour

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 6/2018
Date for review	6/2021

Policy statement

Rainbow Club Australia is committed to providing support for children with a disability and challenging behaviours. In the best interests of teachers and other members, the organisation will ensure that positive, non-intrusive, legally and ethically acceptable procedures are adopted to maximise opportunities for learning to swim and social participation.

Procedures

- Rainbow Club expects teachers, parents and members speak politely to each other at all times
- If a child is struggling with behaviour during a lesson, parents are requested to assist teachers
- If a child should become verbally abusive or physical with a teacher or another member, teachers will swap the lesson they are teaching as a teacher change may help the situation
- If a teacher change is not successful, the child will be returned to the parent/carer for 5 minutes to compose themselves. The child is welcome to resume their lesson after 5 minutes if they wish. Parents/carers are expected to remain close to assist if required
- If unacceptable behaviour continues, the lesson will end for the child
- Parents/carers may discuss an incident with teachers or their Club Committee members if needed
- If unacceptable behaviour continues, the lessons will end for the child

Policy 114

Workplace Health and Safety

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 6/2019
Date for review	6/2023

Policy statement

Rainbow Club Australia is committed to the provision of a safe and healthy work environment for all staff, volunteers, members and other stakeholders and works to minimise risk and promote best practices in accordance with legislation.

Rainbow Club has a primary duty of care to ensure, so far as is reasonably practicable, the health and safety of all staff, volunteers, members and other persons involved with the work carried out by Rainbow Club.

Individual Clubs, staff, volunteers and members are bound by the rules and regulations of each pool we use. These rules and regulations are set by



each individual pool and are on display at the pool. It is the responsibility of all involved to familiarise themselves with these rules and ensure that they are obeyed in their entirety.

Definitions

‘Member’ is the Rainbow Club member.

‘Staff’ is any person in the employ of Rainbow Club who is paid for their role.

This includes administrative staff and teachers.

‘Supervisor’ is any Rainbow Club personnel with a duty of care for another staff member or volunteer. This includes Lead teachers, Club Managers, Cluster Staff Members, the Aquatics or Membership Manager, or the General Manager.

‘Volunteer’ is any person engaged by Rainbow Club as a volunteer. This includes Club Committee members and inpool volunteers.

Procedures

Responsibilities of the Board

The Board delegates to the General Manager the responsibility for promoting and maintaining Workplace Health and Safety (WHS).

Preventing workplace injuries

The primary objective for all staff and volunteers must be to prevent incidents occurring and to ensure that their workspace is a safe space.

Safety Week

As part of Rainbow Club’s commitment to Workplace Health and Safety and to continuously manage our capacity to identify and manage risks, each Rainbow Club is required to hold a Safety Week twice annually in week 5 of Term 1 and week 5 of Term 3. The essence of Safety Week is to highlight the need for safety to all participants of the Club.

Training on how to conduct Safety Week is run annually for representatives of each Club and to coincide with our Train to Teach program. This training is also available on video and is circulated in the week preceding Safety Week as a timely reminder.

An essential part of Safety Week is drawing attention to the rules of the pools that each Club uses and how to manage emergencies should an incident arise.

Staff are informed of their workplace, health and safety responsibilities in the letter issued to them at the beginning of their employment with Rainbow Club. It is the responsibility of each staff member to familiarise themselves with the safety requirements at their pool and to follow those rules.

Incident Register

Rainbow Club will keep a register of accidents, incidents and injuries. The Incident Register will be maintained by the General Manager and will be used to record:

- All accidents and incidents that occur to members or teachers
- All critical incidents irrespective of any actual injury occurring

Rainbow Club recognises its obligation to ensure that all accidents and incidents are reported, recorded and investigated appropriately.

Rainbow Club will ensure that privacy and confidentiality of personal and health information pertaining to an injured worker or person is maintained and managed in accordance with the requirements of NSW privacy legislation.

In the event of a workplace injury

Responsibilities of staff, volunteers and members

Should an accident or incident occur, take such steps as are necessary to:

- Assist an injured person
- Ensure the site is safe or to minimise the risk of a further incident
- Notify relevant authorities

All accidents and incidents must be reported to the immediate supervisor and pool operator by the staff member or volunteer as soon as reasonably practicable after the incident occurs and an Incident Report Form should be completed, even if no injury is apparent.

Incident Report Form

The Incident Report Form is available online at Teacher Central. The form is then directed to the General Manager for review.

Responsibilities of General Manager

Upon advice of an incident the General Manager shall:

- Contact the necessary parties to establish if counselling or any further treatment of any victims, witnesses or others involved is needed
- Arrange counselling as required
- Liaise with counsellors and those being counselled as appropriate
- Report to WorkCover and the insurer (where injury has occurred) should the incident be considered serious and notifiable
- Conduct an investigation, update the Incident Register
- Manage the process of identifying preventative and corrective actions, and monitoring the



implementation and effectiveness of those actions

- Report all serious and notifiable incidents to the Board of Rainbow Club Australia

Workers Compensation

Rainbow Club complies with all statutory requirements in relation to the provision of insurance against work related injury. A Workers Compensation insurance policy will be kept current for the roles performed.

If a staff member or volunteer requires time off as a result of their injury, a medical certificate must be obtained from their doctor, so that a Workers Compensation claim may be lodged.

The medical certificate must be forwarded to the General Manager so that the appropriate paperwork may be completed for the insurer.

The Workers Compensation claim must be lodged within seven (7) days of the injury occurring. The decision about whether the claim is accepted or not rests wholly with the insurance provider.

Policy 115

Crisis Management

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 6/2019
Date for review	6/2023

Policy statement

Rainbow Club Australia recognises that a crisis may occur at any time at any of its Clubs or at any of its organisation events.

The purpose of this policy is to provide guidance to Rainbow Club Board, staff and volunteers on managing a crisis and on handling any media inquiries regarding matters of public interest.

Definitions

'Media' is defined as: newspaper, magazine and other print, television, radio, and internet publishing agency or platform.

'Staff' is any person in the employ of Rainbow Club who is paid for their role.

This includes administrative staff and teachers.

'Volunteer' is any person engaged by Rainbow Club as a volunteer. This includes Club Committee members and inpool volunteers.

Crisis management and reporting

A crisis within the context of a local Rainbow Club is an event or situation that requires urgent response and support to:

- Prevent worsening
- Contain the effects
- Manage the repercussions

A crisis could arise from a minor or a major accident or specific incident such as:

- Member/child becoming seriously injured and requiring medical attention
- Fatality or fatalities
- Missing child
- Abusive parent or spectator

It is impossible to envisage or list all the eventualities that may occur, and the Crisis Management Policy and Procedures are aimed at giving guidelines to follow in the event of a crisis.

Procedures

Each Club should have a Crisis Management Plan that aligns to this policy. A template is available ([refer Sample documents](#)) and the contact information must be updated when there is a change of personnel at the Club.

In the event of a crisis:

The Club Committee and Lead Teacher should convene as soon as possible and under the direction of the Club Manager.

A strategy should be developed in consultation with those at the incident site and other appropriate personnel. This may include a lifeguard or other pool management representatives. This group becomes the 'Incident Management Team'.

The Incident Management Team

The Incident Management Team may consist of any or all of the following, depending on the nature of the crisis:

- Club Manager
- Lead Teacher
- Club Scheduler
- Club Social Coordinator
- Pool management
- Rainbow Club General Manager, Cluster Staff Member or other staff member

The team will consider:

- Minimising trauma
- Providing appropriate care and support to those involved or affected
- Managing media and public awareness so as to minimise damage to our reputation and ensure the true facts are told
- Protecting those involved and/or their next of kin from media attention



Specifics to be considered:

- Whether police or other emergency services need to be involved
- Whether a holding statement needs to be issued, the content of such a statement and the channels through which it is released
- Assemble and brief teachers and parents and consider their welfare
- Consider if next of kin need to be advised, who will advise and be the point of liaison

Crisis log

It is essential that a thorough record of information be kept by all involved. This record will be needed in the event of a formal investigation or legal proceedings. It will also be invaluable in any internal assessment and review and therefore be a key resource for capturing learning from the crisis.

A running record of the crisis will be kept by the Club Manager or the General Manager.

Media

If the crisis attracts media attention, the following procedures apply:

- All media calls/visits should be referred to the General Manager for dissemination and follow-up. In the event that the General Manager is not available, the media should be directed to Rainbow Club's President or Vice President.
- At no time should a Rainbow Club staff member, Club Committee member, teacher or volunteer engage with a member of the media other than to release a holding statement when appropriate and to inform them of Rainbow Club's media relations procedure of utilising a centralised spokesperson for the release of any and all information.
- All other decisions regarding responses to the media (face-to-face contact, telephone contact, email contact, issuance of press releases) will be made by the General Manager after appropriate consultation.

Policy 116

Working from Home

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Not applicable
Date for review	Refer Policy 118

Policy 117

Casual Lessons

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Draft
Date for review	

Policy 118

Human Resources

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 8/2019
Date for review	8/2021

Policy statement

Rainbow Club Australia prides itself on the professionalism and the ability of its Board, staff and teachers to meet member, participant, and other stakeholder needs. The organisation strives to be an employer of choice for:

- Staff with appropriate skills
- Qualified teachers of swimming

Rainbow Club aims to provide safe, healthy and happy workplaces with adequate resources and capacity to deliver a quality service to children with a disability and their families.

Legislation relevant to this policy:

- Age Discrimination Act, 2004
- Australian Human Rights Commission Act, 1986
- Disability Discrimination Act, 1992
- Racial Discrimination Act, 1975
- Sex Discrimination Act, 1984
- Work Health & Safety Act, 2011
- Fairwork Act, 2009

Definitions

'Staff' are people employed by Rainbow Club on a permanent, permanent part-time, or casual basis



to provide executive and administrative services for the organisation.

'Teachers' are AUSTSWIM or Swim Australia qualified teachers who are employed on a casual basis in one of our chartered Clubs to provide swim teaching services to children with a disability.

The following human resources (HR) policies are provided:

- HR policy for staff
- HR policy for teachers

HR policy for staff

The Board of Rainbow Club approves the organisation's structure and permanent staff positions and delegates authority to the General Manager to recruit employ and manage staff in accordance with the below policies and the National Employment Standards (NES).

The Board acknowledges that staff are paid above any award rates and they are compensated for any extra or unsocial hours they may be required to work from time to time.

Working from home

All Rainbow Club staff work from their own home attending Rainbow Club flagship events and other meetings as required from time to time.

Rainbow Club will supply a laptop and/or printer for each position on the Organisation Chart and it is expected that all Rainbow Club online collateral will be saved on this device. It is also expected that staff members will have suitable space equipped for working efficiently from home including access to WiFi.

Flexible working arrangements

Rainbow Club offers flexible working arrangements for staff and expects that hours will be during business hours at pre-agreed times. Staff are expected to work on weekends to visit Clubs or attend events as required. The maximum number of weekends in any one year will be twenty (20).

Staff performance and training

Each member of Rainbow Club staff will be provided with a job specification at the commencement of their employment. Performance against the job specification, any amendments to the job specification and professional development for the staff member will be reviewed annually.

Employee Assistance program

Rainbow Club will retain an employee assistance company to provide support and assistance for staff and teachers to support them with challenges

encountered because of the nature of their Rainbow Club work.

Screening and background checks

Rainbow Club will comply with all State and NDIS staff screening requirements in force from time to time.

Complaints or grievances

In the event of a complaint or grievance staff and teachers will be referred to the Complaints and Grievances Policy ([refer Policy 108](#)) and the same procedures will apply.

Travel

Drivers licence

All staff are expected to have a current drivers licence and access to a vehicle that is comprehensively insured.

Travel allowance

Rainbow Club will pay each staff member an agreed annual travel allowance and will reimburse staff for toll costs incurred while travelling on Rainbow Club business.

Leave

All leave will be paid in accordance with the National Employment Standards (NES).

The ten (10) minimum entitlements of the NES are:

- Maximum weekly hours - 38 hours per week
- Requests for flexible working arrangements
- Parental leave and related entitlements
- Annual leave
- Personal/carer's leave, compassionate leave and unpaid family and domestic violence leave
- Community service leave
- Long service leave
- Public holidays
- Notice of termination and redundancy pay
- Fair Work Information Statement

Code of Conduct

Rainbow Club Australia staff agree to abide by the Rainbow Club staff Code of Conduct. Rainbow Club's staff Code of Conduct includes the NDIS Code of Conduct.

Anyone can raise a complaint about potential breaches of the NDIS Code of Conduct. Should a participant or other stakeholder wish to make a complaint about Rainbow Club with respect to the NDIS Code of Conduct, they will be directed to Rainbow Club's Complaints and Grievance Policy ([refer Policy 108](#)).

Should Rainbow Club or people employed or otherwise engaged by Rainbow Club, be found to have breached the NDIS Code of Conduct,



Rainbow Club will comply with any education, compliance or enforcement action stipulated by the NDIS Commissioner.

Staff Code of Conduct

NDIS Code of Conduct

The NDIS Code of Conduct requires workers and providers delivering NDIS supports and services to do the following in providing those supports and services:

1. Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions
2. Respect the privacy of people with disability
3. Provide supports and services in a safe and competent manner, with care and skill
4. Act with integrity, honesty and transparency
5. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability
6. Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability
7. Take all reasonable steps to prevent and respond to sexual misconduct

In addition, Rainbow Club staff agree to:

- Commit to the mission, vision and goals of Rainbow Club
- Behave professionally and ethically and accept responsibility for their actions
- To the best of their ability, ensure the safety, health and welfare of colleagues, teachers and children in Rainbow Club's network
- Treat all Board members, Club committee members, staff members, teachers, volunteers, parents, members and other stakeholders with courtesy and respect and not discriminate against a Board member, Club committee member, staff member, teacher, volunteer, parent, member or other stakeholders or stakeholder on the basis of sex, age, race, religion, disability, pregnancy, marital status or sexual preference
- Agree to behave in an ethical manner that is free from any harassment or bullying
- Abide by all Rainbow Club Australia Policy and Procedures including maintaining confidentiality of the organisation's operations in relation to service activities, confidential documentation and work practices during and post employment

HR policy for teachers

The Board of Rainbow Club delegates authority to the General Manager to recruit employ and manage teachers in accordance with the below policies and the National Employment Standards (NES).

The Rainbow Club Board will approve all pay rates for teachers and will pay above award rates to ensure that our teachers are adequately rewarded for the work they do.

Teachers must provide details of their Swim Teacher licence and their Working with Children Number (WWC No) for verification, prior to commencing work and are required to provide Rainbow Club with details of renewals of licence and WWC No.

All Rainbow Club teachers are employed on a casual basis and are required to:

- Renew their CPR Certificate annually and provide evidence of the update to Rainbow Club
- Familiarise themselves with the Swim the Rainbow program and use this structure to teach Rainbow Club members at their weekly lessons
- Wear the supplied hi-vis lime green 'teacher' rashie with board shorts while teaching. A neat and tidy appearance is important to Rainbow Club

Employee Assistance program

Rainbow Club will retain an employee assistance company to provide support and assistance for staff and teachers to support them with challenges encountered because of the nature of their Rainbow Club work.

Complaints or grievances

In the event of a complaint or grievance staff and teachers will be referred to the Complaints and Grievances Policy ([refer Policy 108](#)) and the same procedures will apply.

Code of Conduct

Rainbow Club Australia teachers agree to abide by the Rainbow Club teacher Code of Conduct. Rainbow Club's teacher Code of Conduct includes the NDIS Code of Conduct.

Anyone can raise a complaint about potential breaches of the NDIS Code of Conduct. Should a participant or other stakeholder wish to make a complaint about Rainbow Club with respect to the NDIS Code of Conduct, they will be directed to Rainbow Club's Complaints and Grievance Policy ([refer Policy 108](#)).



Should Rainbow Club or people employed or otherwise engaged by Rainbow Club, be found to have breached the NDIS Code of Conduct, Rainbow Club will comply with any education, compliance or enforcement action stipulated by the NDIS Commissioner.

Teacher Code of Conduct

NDIS Code of Conduct

The NDIS Code of Conduct requires workers and providers delivering NDIS supports and services to do the following in providing those supports and services:

1. Act with respect for individual rights to freedom of expression, self-determination and decision-making in accordance with applicable laws and conventions
2. Respect the privacy of people with disability
3. Provide supports and services in a safe and competent manner, with care and skill
4. Act with integrity, honesty and transparency
5. Promptly take steps to raise and act on concerns about matters that may impact the quality and safety of supports and services provided to people with disability
6. Take all reasonable steps to prevent and respond to all forms of violence against, and exploitation, neglect and abuse of, people with disability
7. Take all reasonable steps to prevent and respond to sexual misconduct

In addition, Rainbow Club teachers agree to:

- Behave professionally and accept responsibility for their actions
- Commit to the mission and goals of Rainbow Club and work all agreed shifts so as to provide the best possible service to Rainbow Club members
- To the best of their ability, ensure the safety, health and welfare of all children in the Club and other teachers
- Provide a balanced program of swimming and water safety within Swim the Rainbow guidelines
- Be familiar with the goals of the child being taught (or their parent) and support them to achieve their goals
- Be familiar with the colour level of the child that is assigned to them
- Modify their teaching techniques to cater for the disability of the individual
- Treat all children and parents with courtesy and respect

- Maintain their certifications or qualifications with AUSTRALIAN SWIMMING (AUSTRALIAN SWIMMING or Swim Australia, CPR (annual resuscitation training) and Working With Children (WWC No.)
- Agree to behave in an ethical manner that is free from any harassment or bullying
- Abide by all Rainbow Club Australia's Policy and Procedures

Policy 119

Incident Management and Reporting

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
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Responsibility:	General Manager
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Status	Approved 8/2018
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Date for review	8/2023
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Policy statement

Rainbow Club recognises that it has a moral, ethical and legal responsibility to ensure all participants are safe and takes proactive steps to protect them from harm.

It has a system for identifying, assessing, managing and resolving incidents that happen in connection with providing supports or services to people with a disability. The system is appropriate to the business size and the class of support that we provide.

Rainbow Club has additional obligations if an incident is the subject of a complaint ([refer Policy 108](#)).

Rainbow Club will provide support and assist people with a disability affected by an incident (including information about access to advocates such as independent advocates) to ensure their health, safety and wellbeing.

Rainbow Club recognises that failure to comply with the Incident management requirements of the NDIS legislation and rules may lead to the NDIS Commissioner taking compliance and enforcement action against Rainbow Club.

Definitions

'Participant' the Rainbow Club member or person affected by the incident.

'Staff member' includes paid Rainbow Club staff and teachers, and volunteers (Club Committee members and inpool volunteers).



Procedures

- Teacher Central (Rainbow Club's communication tool with its teacher workforce) contains an Incident Report Form. Teachers are made aware of this mechanism for reporting incidents in their Offer Letter issued at the commencement of their employment.
- My Portal (Rainbow Club's portal for parents of members) contains an Incident Report Form. Members are made aware of this mechanism for reporting incidents in the Welcome Letter issued to them when they join Rainbow Club)
- The staff member who first becomes aware of an incident must report it as soon as practicable to the Lead Teacher in their Club or to a Committee Member. They are responsible for reporting relevant incidents to the police.
- The Lead Teacher or Committee Member must complete Rainbow Club's Incident Report Form as soon as is practical
- Details of all incidents will be maintained on the Salesforce Incident Register which will record all actions taken and current status. All records regarding incidents will be maintained for 7 years.
- The General Manager of Rainbow Club has the responsibility for maintaining the Incident Register and for ensuring all incidents are managed appropriately.
- All incidents are reported to the Board of Rainbow Club at each meeting.
- An analysis of all incidents including monitoring and acting on trends identified will take place annually with a view to improving the quality of service offered by Rainbow Club

In responding to an incident, the General Manager (or person delegated) will:

- Recognise and acknowledge the impact of the incident on the participant/staff member
- Assure the participant/staff member the incident will be treated seriously and deal with fairly
- Educate participants/staff members about their rights and take their wishes into consideration
- Keep the participant/staff member informed of progress, outcomes and any follow up
- If appropriate identify an advocate or support person
- Provide an opportunity to give feedback on the response to the incident
- All information collected by Rainbow Club in managing incidents will be managed in accordance with our Privacy Policy ([Policy 105](#)).

Identifying and responding to incidents

Staff, teachers and volunteers should:

- Assess the situation and check for danger.
- Remove the participant from danger if it is safe to do so
- If urgent medical attention is required, call 000 or if appropriate convey the participant to nearest hospital
- If a staff member is accused or suspected of harming the participant, independent medical practitioner must be called and the staff member removed from contact pending investigation
- If another participant is accused or suspected of harming the participant, they should be removed from contact pending investigation
- If the staff member or participant has injuries that do not require immediate attention, support the person to see a doctor for assessment and treatment of any injuries, including psychological trauma
- Consider the impact of the incident on the other participants and provide them with support
- If the incident involves an alleged criminal act, contact the police. Preserve any physical or documentary evidence that may be critical to an investigation by the police or Rainbow Club

Responses to any participant incident should be respectful of the participant, culturally appropriate and empower them to make their own choices and decisions wherever possible. Some participants may wish to have a support person present to help them with a decision.

Reportable incidents

Rainbow Club will take all reasonable steps to ensure that reportable incidents are notified to the NDIS Commissioner within reasonable timeframe.

24 Hours Reporting

The General Manager or other delegated staff member will report the following incidents to the NDIS Commission within 24 hours should the event occur involving a person with a disability while at Rainbow Club:

- Death of a person with a disability
- Serious Injury of a person with a disability
- Abuse or Neglect of a person with a disability
- Unlawful sexual or physical contact with a person with a disability
- Sexual misconduct against, or in the presence of, a person with a disability



This reporting will be done either by telephone or using the Reportable Incident Form on the NDIS Commission website.

Following five (5) working days

After the initial report, additional information regarding witnesses and follow up actions taken must also be provided to the NDIS Commission within five (5) working days

Information regarding reportable incidents does not have to be reported to the NDIS Commission if doing so could reasonably be expected to prejudice the conduct of a criminal investigation or expose a person with a disability to risk or harm.

Ongoing reporting

Should significant new information about the incident relate to a change in the reportable incident, the General Manager must notify the NDIS Commission as soon as reasonably practicable.

Definitions

'Abuse' means verbal, physical and/or emotional mistreatment and/or lack of care of a person or child. Abuse can include bullying, child abuse, physical abuse, sexual abuse, emotional and psychological abuse, racial, cultural and religious abuse or domestic violence.

'Incident' means

- An act, omission, event or circumstance that has, or could have, caused harm to a person or child with a disability who is a member of Rainbow Club
- An act by a person with a disability that happened in connection with the provision of supports or services and that caused serious harm or a risk of serious harm to another person or child

or

- A reportable incident that is alleged to have occurred in connection with the provision of supports or services

'Mandatory Reporting' is the legal obligation of certain professionals and community members to report when they believe, on reasonable grounds, that a child needs protection from harm. A broad range of professional groups are identified in the Children and Young Persons (Care and Protection) Act 1998 (NSW) as 'mandatory reporters'.

'Neglect' is the failure to provide a person or child with the basic necessities of life such as food, clothing, shelter, medical attention or supervision, to the extent that their health and development is likely to be significantly harmed.

'Negligence' is doing, or failing to do, something that a reasonable person would, or would not, do in a certain situation and which causes another person or child damage, injury or loss as a result.

'Procedural Fairness' is a principle that requires a fair and proper procedure be used when making a decision.

'Reasonable Grounds' means a person may form a belief on reasonable grounds that another person needs protection after becoming aware that their health, safety or wellbeing is at risk and, where relevant, the person's guardians are unwilling or unable to protect them. There may be reasonable grounds for forming such a belief if:

- A person states that they have been physically or sexually abused
- A person states that they know someone who has been physically or sexually abused
- Someone who knows a person who states they have been physically or sexually abused
- A person shows signs of being physically or sexually abused
- There is persistent neglect, poor care or lack of appropriate supervision
- A person's actions or behaviour places them at risk of significant harm

'Reportable Conduct relating to a child' is conduct that involves any of the following whether or not the child has consented:

- Any sexual offence or sexual misconduct committed against, with or in the presence of a child
- Any assault, ill treatment or neglect of a child
- Any behaviour that causes psychological harm to a child
- Failure to reduce or remove risk of a child becoming a victim of child abuse
- Concealing a child abuse offence

'Reportable Incident' is the:

- Death of a person with a disability
- Serious injury or a person with a disability
- Abuse or neglect of a person with a disability
- Unlawful sexual or physical contact with, or assault of, a person with a disability
- Sexual misconduct committed against, or in the presence of, a person with a disability
- The use of a restrictive practice in relation to a person with a disability

'Restrictive Practice' is any practice or intervention that has the effect of restricting the rights of freedom of movement of a person with a disability.



Policy 120

Child Protection

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 8/2019
Date for review	4/2023

Policy statement

Rainbow Club Australia believes that every child and young person has the right to live a life free from any form of violence and deserves to grow up in a safe, peaceful and enabling environment where they can fully exercise their rights.

Rainbow Club considers child abuse unacceptable in all circumstances and takes its duty of care seriously and aims at all times to provide the safest possible program and environment for children.

It is Rainbow Club's policy that a supervising adult (parent/guardian or person appointed by them) must remain in the pool area whilst their child/ward is present at their local Club or a Rainbow Club event.

Definitions

'Staff/employee' is any person in the employ of Rainbow Club who is paid for their role. This includes teachers.

'Supervisor' is any Rainbow Club personnel with a duty of care for another staff member or volunteer. This includes Lead teachers, Club Managers, Cluster Staff Members, the Aquatics or Membership Manager, or the General Manager.

'Volunteer' is any person engaged by Rainbow Club as a volunteer. This includes Club Committee members and inpool volunteers.

Procedures

Working with Children check (WWC)

- All adults (18 years and older) seeking any paid or volunteer work in Rainbow Club must provide a NSW Working with Children check number (WWC No.)
- Volunteers can provide a volunteer WWC No. which can be applied for online at no charge. Volunteers must then visit Service NSW to provide proof of identity before the clearance is emailed or posted to them

- Those involved in paid work must provide an employee WWC No. This can be applied for online. Employees must then attend Service NSW to provide proof of identity and pay the administration fee before the clearance is emailed or posted to them
- Rainbow Club staff must verify the WWC No. online prior to issuing any engagement letter
- Only those verified with a clearance to work/volunteer can commence work with Rainbow Club
- Where clearance is not received, this person cannot be involved with Rainbow Club
- Record of the WWC No. and the date verified must be retained on the worker's record on Salesforce
- Online verification is a support for Rainbow Club. If the employee/volunteer comes under notice for child protection allegations, Rainbow Club will receive notification and directive on future involvement in child related activities
- Teachers or volunteers under 18 years of age are not required to have a WWC No.

Rainbow Club has a zero tolerance to breaches of this legal requirement.

Responsibilities of Rainbow Club staff and volunteers

- All teachers and inpool volunteers should be easily identifiable and are to wear Rainbow Club rashies while teaching or volunteering for Rainbow Club in the pool
- Teaching ratios are in accordance with Swim the Rainbow program and based on the ability levels of all participants
- At least two teachers are required to attend all Club sessions
- No staff member or volunteer is to establish or maintain a sexual relationship with any person within or associated with Rainbow Club who is aged under 18 years. This applies regardless of whether an established personal relationship exists with the person aged under 18 years and regardless of whether the parties engage in sexual intercourse
- Club Committee members and teachers should ensure that children dress and undress behind closed cubicle doors
- No photography or videoing is to be allowed in change rooms
- Where a person is observed to be photographing or videoing activities, that person is to be asked to confirm their relationship to a child or young person involved, or to Rainbow Club personnel. Where a satisfactory relationship cannot be



confirmed, that person is to be directed to cease and to leave the premises, and the incident is to be reported immediately to the Club Manager or to the local police station

- Non-abrasive language should be used with the children and young people in our sessions. Bullying and threats (both verbal and physical) are not considered appropriate teaching methods within Rainbow Club
- Information relating to disability and behaviours and information on allergies and medical concerns will be provided to teachers through Teacher Central. This will ensure that teachers have the relevant information to protect and support the member with their Rainbow Club goals
- Only appropriate physical contact is used within Rainbow Club

Mandatory reporting

All Rainbow Club staff and volunteers are 'Mandatory Reporters' which means they are mandated to report to Community Services if they have concerns about the safety or welfare of a child.

Rainbow Club staff and volunteers:

- Will be offered training in relation to child protection on a regular basis as determined by Rainbow Club
- Who form a belief based on reasonable grounds that a child is at risk of harm should discuss their concerns with a supervisor who they may have information the Rainbow Club personnel is not aware of
- Should make a record of the incident/s that led to forming the belief. These should be recorded concisely, include as much detail as possible and be kept in a secure place to ensure confidentiality
- Who are unsure how to respond to a child who has disclosed to them, can suggest the child might speak to a supervisor about this, if they are comfortable to do so
- Should be aware that disclosure made to a trusted person and in Rainbow Club discussions should then be taken to the General Manager or Membership Manager who will assist with Mandatory Reporting

Mandatory Reports should be treated with strict confidentiality in accordance with Rainbow Club's Privacy Policy (refer Policy 105).

Investigation

Where allegations of inappropriate sexualised behaviour are brought to staff or a volunteer by children at the time of the incident, the supervisor

on shift should interview each child by simply asking each child involved what happened in the event.

This should then be taken to the General Manager or Membership Manager for advice and follow up.

Where the allegation is brought by a parent at a later date and as described to them by their child, write down as much information as possible, and consult with staff who were supervising children at the time.

Rainbow Club's responsibilities for its staff and volunteers

Rainbow Club also has a responsibility to ensure its staff and volunteers are treated fairly and that their rights are respected during an investigation and any disciplinary process as a result of the investigation.

As an employer, Rainbow Club has a responsibility to all staff and volunteers to:

- Ensure they are aware of their obligations to report suspected risk of significant harm and reportable allegations, and of the procedure for doing this
- Provide a copy of professional standards related to relationships with children, including a Code of Conduct
- Make sure all are aware of the indicators of child abuse and neglect of children and young people and have access to relevant training to assist with this
- Investigate allegations of a child protection nature specifically related to their actions and ensure that appropriate action is taken in relation to the finding.
- Advise any personnel under investigation for an allegation of a child protection nature, of support services that are available from Rainbow Club's Employee Assistance Program
- Ensure procedural fairness applies in situations where a decision is to be taken which could have a detrimental effect on their professional circumstances.
- Assist them in implementing relevant Policy and Procedures related to protecting children and young people from harm
- Ensure that current and new applicants for child related work have undergone a Working with Children check and are cleared to work with children

Rainbow Club must always also consider the support needs of children and their parents/ caregivers where child protection allegations have arisen.



Policy 121

Abuse, Violence, Neglect & Discrimination

Applies to:	Board Staff Club Committee Teachers Inpool volunteers Members
Responsibility:	General Manager
Status	Approved 8/2019
Date for review	6/2023

Policy statement

Rainbow Club Australia has a moral ethical and legal responsibility to ensure all participants are safe and protected from harm while in our Clubs.

Rainbow Club has zero tolerance for any violence, abuse, neglect or discrimination in its Clubs.

Definitions

‘Participant’ the Rainbow Club member or person affected by the incident.

‘Staff member’ includes paid Rainbow Club staff members and teachers, and volunteers (Club Committee members and inpool volunteers).

Procedures

Rainbow Club management promotes best practice, continuous improvement and a service delivery culture that promotes and supports participant safety. This is reinforced twice yearly at our Safety Week and every lesson of every week in our Swim the Rainbow program.

All teachers are required to teach in accordance with our Swim the Rainbow Program which has safety as a core component.

Prevention

- To protect members from harm, Rainbow Club only employs qualified staff and engages volunteers who respect the rights of children with a disability and who will support members and their families to access complaint mechanisms if required
- All teachers must provide a Working With Children check number (WWC No.) which is verified and must wear the Rainbow Club rashie while teaching for Rainbow Club to help members recognise them
- Rainbow Club will also provide a safe physical environment at all pools that we use for Rainbow Club activities

- Inpool volunteers have a separate colour rashie to identify them and they must not be in sole supervision of a member in the pool. All inpool volunteers must also provide a WWC No. which is verified
- Rainbow Club’s Swimming Officer will include the safety of members in all professional development sessions delivered to our teachers
- Agendas for Board meetings will include a Compliance Register which will indicate continuous appraisal and improvement plans

Review and evaluation

This policy will be regularly reviewed as part of Rainbow Club’s quality assurance processes.

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- Non-abrasive language should be used with the children and young people in our sessions. Bullying and threats (both verbal



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