



# Participant Protection Policy



**Racing  
Victoria**

Issued 22 November 2023

## Contents

1.	PURPOSE.....	3
2.	POTENTIAL SAFEGUARDING CONCERNS.....	3
3.	DEFINITIONS AND INTERPRETATION .....	3
4.	WHO IS COVERED BY THIS POLICY?.....	4
4.1.	Participants.....	4
4.2.	When does the Policy apply?.....	5
5.	RV OBLIGATIONS.....	5
6.	EXPECTATION OF CLUBS.....	5
7.	AT RISK PERSONS.....	6
7.1.	Children and Young People .....	6
7.2.	Adults at Risk .....	7
8.	POTENTIAL SAFEUGUARDING CONCERNS .....	7
9.	REPORTING SAFEGUARDING CONCERNS .....	7
9.1.	When to report to RV? .....	7
9.2.	Becoming aware of a concern.....	8
9.3.	How to make a report.....	8
9.4.	When making a report.....	8
10.	HOW WILL A REPORT BE HANDLED? .....	9
10.1.	Managing Conflicts of Interest.....	9
10.2.	Clubs .....	9
10.3.	When will a report be referred to an external authority?.....	10
10.4.	Referral to RV Stewards .....	10
11.	POLICY REVIEW.....	10
10.	Attachment A– Safeguarding Concern Handling .....	11



## 1. PURPOSE

Racing Victoria (RV) is committed to ensuring everyone within the Victorian Thoroughbred Racing Industry (the Industry) is protected from abuse, bullying, harassment, sexual misconduct, discrimination and child abuse. RV's Participant Protection Policy (this Policy) aims to promote and achieve Safeguarding standards, ensure all Participants have a clear understanding of what constitutes appropriate behaviour and to outline RV's commitment to take appropriate action against those who harm or pose a risk of harm, to Participants within the Industry.

This Policy provides guidance to Participants within the Industry on:

- a) when and how a Safeguarding Concern should be reported to RV;
- b) how the report of a Safeguarding Concern will be handled by RV; and
- c) the support RV aims to provide for those individuals who have reported a Safeguarding Concern and/or who are affected by inappropriate conduct.

A breach of this Policy, with respect to a Safeguarding Concern, may be a potential breach of the Rules of Racing of Racing Victoria (Rules of Racing).

## 2. POTENTIAL SAFEGUARDING CONCERNS

All Participants engaged in the Industry:

- a) have the right to be protected from all forms of unacceptable behaviour and/or conduct;
- b) are to respect the rights, dignity and worth of others;
- c) should be fair, considerate and honest in all dealings with others;
- d) are to be a positive role model and demonstrate a high degree of individual responsibility, especially when dealing with Young People, as your words and actions are an example;
- e) should refrain from any behaviour that may be prejudicial to the image, interests, or welfare of the Industry and/or RV;
- f) should provide a safe environment for the conduct of any activity in connection with racing; and
- g) should Speak Up if they become aware of a potential Safeguarding Concern, including reporting the concern to RV.

## 3. DEFINITIONS AND INTERPRETATION

If anything in this Policy is inconsistent with the Rules of Racing or any relevant Federal or State law, then the Rules of Racing or the relevant Federal or State law prevails to the extent of the inconsistency.

**Adults at Risk** is an Adult who is unable to take care and support themselves, is being abused or neglected or is at risk of abuse or neglect and cannot protect themselves from the abuse.

**Bullying** means repeatedly acting unreasonably towards a person, which behaviour creates a risk to health and safety. (Acting unreasonably includes victimising, humiliating, intimidating or threatening. Reasonable management action that is carried out in a reasonable way is not bullying).

**Club** includes any body approved to hold a race meeting under the Rules of Racing .

**EGM – Integrity Services** means Racing Victoria's Executive General Manager of the Integrity Services Department.

**Industry** means the Victorian Thoroughbred Racing Industry.



**Licensed Trainer** means a person licensed or granted a permit by a Principal Racing Authority (as defined in the Rules of Racing) to train horses, and includes any persons licensed to train as a training partnership.

**Policy** means this Participant Protection Policy.

**Participants** includes trainers, a person employed or contracted by a trainer in connection with the training or care of a horse; an owner, a nominator, a rider, a rider's agent, and any person who provides a service/s connected with the keeping, training or racing of a horse.

**Rules of Racing** means the Rules of Racing of Racing Victoria which includes the Australian Rules of Racing made by the Australian Racing Board and the Local Rules and Rules of Race Betting of Racing Victoria.

**RV** means Racing Victoria Limited.

**Safeguarding Concern** includes, but is not limited to harassment, sexual harassment, abuse, abuse of power, discrimination, grooming, child abuse and social networking (as defined in Section 8).

**Trainers in tenant** means a Victorian Licensed Trainer leasing stables and/or running a thoroughbred training service business from a Clubs premises.

**Workplace Harassment** means behaviour of one person towards another person with whom the person has a workplace connection which: is unwelcome to and unsolicited by the person who is the subject.

**Working with Children Check** is a screening process for assessing or re-assessing people who work with or care for children in Victoria and looks at criminal history and relevant professional conduct findings of applicants to ensure we're assisting to protect children from sexual or physical harm.

**Young Person/People** means Participants who are registered or licenced with Racing Victoria and are younger than 18 years of age.

#### 4. WHO IS COVERED BY THIS POLICY?

This Policy applies to a Safeguarding Concern between Participants engaged in the Industry.

##### 4.1. Participants

For the purpose of this Policy, Participants include (but are not limited to):

- a) Licensed Trainers;
- b) Stable employees;
- c) riders;
- d) an employee, officer, official and/or volunteer of a Club;
- e) owners;
- f) riders agents;
- g) permitted veterinarians;
- h) farriers;
- i) float drivers; and
- j) a relevant person, as defined in the *Racing Act 1958* (Vic).



## 4.2. When does the Policy apply?

- a) All Participants to which this Policy applies must always comply with this Policy (whilst they are a Participant), including:
  - i. In relation to any dealings, they have within the Industry;
  - ii. When dealing with other Participants or those within the Industry in their capacity as a Participant; and
  - iii. In relation to their Licence or standing as a Participant or within the Industry in general.
- b) The following is not within the scope of this Policy:
  - i. Where an interaction (including social media interactions) occurs involving one or more Participant, and the only link or connection between the interaction and the Industry is the fact that one or more individuals are a Participant; and
  - ii. Where Potential Safeguarding Concerns occurs in contravention of this Policy, any subsequent conduct, or interaction(s) that, whilst related to the original Potential Safeguarding Concerns, no longer directly relates to any of the Industry (even where such conduct or interaction(s) would otherwise be Potential Safeguarding Concern; and
  - iii. Where RV determines, in their absolute discretion, that the alleged Potential Safeguarding Concern would be more appropriately dealt with under the Rules of Racing.

## 5. RV OBLIGATIONS

When RV receives a report in relation to a Safeguarding Concern it will:

- a) take all allegations seriously and handle the report as stated in this Policy;
- b) within its jurisdictional powers, challenge any conduct within the Industry that is (or perceived to be) harmful to Participants;
- c) aim to work in conjunction with Club's, external service providers, law enforcement and government authorities, and Participants, during an investigation into a Safeguarding Concern;
- d) support individuals involved, with respect to a report of a Safeguarding Concern. Support will be offered to:
  - i. affected Participants;
  - ii. their families; and
  - iii. those who have reported concerns to RV.The level of support will be appropriate to the circumstances of each individual case and the circumstances of each affected individual;
- e) provide education and appropriate support to Club's in relation to their safeguarding policies and practices, with a view of consistent safeguarding standards across the Industry; and
- f) provide education and appropriate support to all Participants so that they are aware of what their rights and obligations are as Participants in the Industry.

## 6. EXPECTATION OF CLUBS

RV encourages all Club's to develop, review and/or implement an approach to Safeguarding Concerns and safeguarding procedures, which should reflect and complement this Policy.

RV anticipates that the Club's will collaborate with RV in the development and effective delivery of those approaches and procedures including education.

All Club's should take steps to:

- a) adopt and comply with this Policy;



- b) recognise and enforce any penalty imposed under this Policy; and
- c) publish, distribute and promote this Policy (and any amendments made to it from time to time) to their members, affiliates and Trainers in tenant and/or Licensed Trainers using their facilities, in the manner required by RV.

This Policy is not intended to supersede any procedures and/or policies that a Club may have in place to deal with human resource matters, including concerns between a Club and Licensed Trainers with respect to their respective agreements including commercial agreements to utilise a Club's facilities. Matters relating to conduct between employees of a Club, may be employment matters, meanwhile matters relating to a Club and Licensed Trainers may be contractual issues rather than being dealt with pursuant to this Policy. RV will work with the relevant Club regarding the appropriate mechanism for dealing with the matter.

## 7. AT RISK PERSONS

### 7.1. Children and Young People

For the purposes of this Policy Young People are anyone under the age of 18 years.

The youngest age at which individuals may be licensed or registered to participate in the Industry overseen by RV is 14 years (refer to [RV Stable Employee Policy](#)).

RV is committed to the safety and wellbeing of all Young Persons who participate in the Industry. RV supports the rights of Young Persons and will act at all times to promote and/or provide a child safe-environment, as appropriate. When assessing Participants for a licence and/or registration, RV will consider applications so that licensees and registered persons fit the criteria of the [RV Suitability Policy](#).

RV acknowledges the valuable contribution by its employees, members and volunteers and encourages their active participation in providing a safe, fair and inclusive environment for all Young Persons. RV has developed a separate Policy, the Safeguarding Young People Policy (the SYPP) that provides guidelines and assists Participants meet obligation when engaging with Young People.

It is important that Participants (especially in the function as a Licensed Trainer) engaging Young People in the workforce undertake an assessment as to whether their current and/or future employees or contractors are suitable. It is important that those Participants within the Industry employing Young People have identified whether a Working with Children Check (WWCC) is required.

A WWCC is a screening process for assessing the suitability of people who work with or care for children. In Victoria, worker screening is regulated by the *Worker Screening Act 2020* (Vic), which came into operation in February of 2021 to replace the *Working with Children Act 2005* (Vic). Under the scheme, people performing child-related work (paid or unpaid) are required to have a WWCC clearance unless an exemption applies.

Child-related work usually involves direct contact with a child which is defined in the *Worker Screening Act 2020* (Vic) as any contact between a person and a child, whether it be physical, face-to-face, or by written, electronic or oral communication.

RV encourage Licensed Trainers and Industry Participants to obtain a WWCC where they have direct contact with a Young Person, that is more than incidental to their role.

RV is not the responsible entity for ensuring a WWCC is obtained (however, if the Licensed Trainer is engaged by RV to perform work with the Apprentice Jockey Program, where relevant, we will require a copy of a valid WWCC).



When a Safeguarding Concern is reported and it is identified as part of the investigation by RV, that those involved who should, but do not, hold a WWCC, this fact will be sufficient to form a basis of an investigation and RV will, if required, report it to the relevant authorities.

For more detailed information, including the forms required to complete a WWCC, please contact the Department of Justice or visit [www.workingwithchildren.vic.gov.au](http://www.workingwithchildren.vic.gov.au).

## 7.2. Adults at Risk

For the purposes of this Policy, an Adult at Risk means an Adult who:

- a) is unable to take care and support themselves; and
- b) is being abused or neglected or is at risk of abuse or neglect; and
- c) cannot protect themselves from the abuse.

## 8. POTENTIAL SAFEGUARDING CONCERNS

- **Abuse:** includes physical abuse, sexual abuse, emotional or physical abuse and neglect.
- **Harassment:** any unwelcome behaviour which is offensive, abusive, belittling or threatening to a person. It can be expressed or implied, physical, written or oral. Forms of Harassment, including Bullying and Workplace Harassment, are offences under the Rules of Racing (AR 233(b)).
- **Sexual Harassment:** includes subjecting a person to an unsolicited act of physical intimacy, making an unsolicited demand or request for sexual favours, making a remark with sexual connotations, engaging in any other unwelcome conduct of a sexual nature.
- **Abuse of power:** when relationships involve a power disparity and have the potential for abuse of that power.
- **Discrimination:** treating a person unreasonably on the basis of an attribute or personal characteristic. This also includes victimisation.
- **Grooming:** when a perpetrator builds a relationship with a vulnerable person with a view to abuse them.
- **Child Abuse:** offending conduct against a Young Person and includes physical abuse, sexual abuse, emotional abuse and neglect.
- **Social Networking:** any interactive website or technology that enables persons to communicate and/or share content via the internet. All Participants are to comply with RV's [Social Media Policy](#)

## 9. REPORTING SAFEGUARDING CONCERNS

### 9.1. When to report to RV?

When:

- a) a Participant has experienced a form of unacceptable behaviour or conduct; or
- b) when there are serious concerns for the safety and/or wellbeing of a Participant (particularly a Young Person or Adult at Risk),

it is important that those concerns are reported to the appropriate authorities at the first available opportunity to take appropriate action.

As Victoria's Principal Racing Authority, RV invites Participants and Clubs to report their concerns even if it has already been reported to another authority. The RV Participant Protection Manager will treat all matters in confidence to protect the safety and welfare of the victim.



## 9.2. Becoming aware of a concern

Concerns might be raised because of:

- a) something a Participant has said;
- b) secrecy and a reluctance of a Participant to share information;
- c) having experienced some form of unacceptable behaviour or conduct;
- d) signs or suspicions of abuse or harm;
- e) allegations made against an individual; and
- f) observation or perception of unacceptable behaviour or conduct.

## 9.3. How to make a report

RV wants to be presented with any information, from any source, where there is reason to believe that a Participant in the Industry has presented or presents a risk of harm to one or more Young Person or Adult.

It is not the responsibility of those reporting concerns to RV, to determine if a Participant has been subjected to unacceptable behaviours or conduct or is otherwise at risk of harm.

In the first instance, all concerns can be reported directly to RV and any other appropriate bodies (such as the Office of the Racing Integrity Commissioner, Club, Licensed Trainer or Victoria Police in an emergency or if criminal activity is suspected).

RV will support those who wish to make a report and will provide any guidance and support that may be necessary in relation to the making of a report.

Reports can be made to RV via any of the following means:

- email [participantprotection@racingvictoria.net.au](mailto:participantprotection@racingvictoria.net.au);
- online at our [website](#) under the Sport section; or
- telephone to the RV Participant Protection Manager on 0428 413 935.

Alternatively, reports can be made to the Office of the Racing Integrity Commissioner via:

- email [enquiries@racingintegrity.vic.gov.au](mailto:enquiries@racingintegrity.vic.gov.au)
- telephone (03) 8684 7776
- post PO Box 24034 Bourke Street, Melbourne VIC 3001

To assist those making a report and assist RV in handling a concern, a Safeguarding Concern Form is available on RV's website link: <http://www.racingvictoria.com.au/the-sport/participant-protection-and-wellbeing/safeguarding-concern-form>.

Reports of a Safeguarding Concern may be subject to RV's Speak Up Policy, which includes protections regarding confidentiality and anonymous reports.

## 9.4. When making a report

When reporting a Safeguarding Concern to RV, the person making the report should always:

- a) focus on the facts rather than opinion. For example, what exactly has been observed, seen, heard or disclosed; and
- b) distinguish clearly between what the person making the report knows first and what he or she has been told by others.

All reports subject to this Policy will be treated in confidence and can (subject to applicable laws) be subject to anonymity. They will only be shared with individuals within RV or third parties (such as advisors) on a need-to-know basis.





RV will do everything it reasonably can to ensure that individuals can raise a matter of concern to RV without fear of victimisation, subsequent discrimination, or disadvantage.

## 10. HOW WILL A REPORT BE HANDLED?

As outlined in **Attachment A**, concerns received by RV will in the first instance be considered by the RV Participant Protection Manager or another RV staff member (under the direction of the RV Participant Protection Manager) on a need-to-know basis.

RV may liaise with Clubs, external authorities and Participants to determine the most appropriate response. RV may refer the matter to one of the abovementioned groups, if it is satisfied that it is appropriate in all the circumstances of the case, including:

- a) that RV has confidence that the matter will be appropriately investigated/addressed; and
- b) the relevant group can keep RV informed of the matter's progress.

All cases progressed by RV will be investigated by RV and/or by an expert investigator/agency appointed by RV.

The amount of contact required between the relevant Participants and RV is dependent on the individual circumstances of the investigation, the specific facts and whether further information is required.

If it is determined by RV that the person (against which a Safeguarding Concern was raised), does not pose a foreseeable risk of harm to one or more Participants, but an understandable concern was raised, RV or others may give guidance to any relevant individual in relation to their future conduct.

Whilst the welfare of Participants is a priority, RV recognises it may have a responsibility to those accused of wrongdoing. Consideration will therefore be given as to what level of support should be provided to the accused in each case. Such support may include access to support services and/or referral to legal services.

RV will always try to ensure that all parties know what procedure will be followed and what the expected timeframes are, as well as any changes to those timeframes and why.

### 10.1. Managing Conflicts of Interest

When a concern relates to a potential breach of this Policy by a RV employee, the Participant Protection Manager will immediately notify the Executive General Manager (EGM) - Integrity Services. The EGM - Integrity Services will take appropriate action to investigate and address the allegation including allocating the most appropriate resources (internal or external) to investigate the Safeguarding Concern.

Where the matter relates to an allegation against the EGM - Integrity Services and/or the Participant Protection Manager, the matter will be referred to the RV Chief Executive Officer.

### 10.2. Clubs

There may be circumstances where it is inappropriate for a Participant affiliated or employed by Clubs to be involved in the investigation and/or resolution of the matter. The RV Participant Protection Manager will work with the Club.



### 10.3. When will a report be referred to an external authority?

When the RV Participant Protection Manager assesses the initial concern, if required and warranted, there may be a referral to external authorities (such as the Police) to investigate whether there have been any potential breaches of relevant legislation. Referrals to other bodies such as the , WorkSafe Victoria or the Fair Work Commission may also be considered.

### 10.4. Referral to RV Stewards

There are certain rules within the Rules of Racing which deal with Safeguarding Concerns discussed in this Policy such as (but not limited to) sexual harassment and bullying. If, during the investigation, it is identified that a person in their conduct may have breached the Rules of Racing, the matter will be referred to the RV Stewards.

Depending on the findings and the seriousness of the potential breach, the matter may either be determined at a Stewards inquiry or the Stewards may consider that any charges be heard before the Victorian Racing Tribunal in accordance with the Rules of Racing.

## 11. POLICY REVIEW

This Policy is reviewed annually and as required. This may occur due to a change of operation, new legislative obligation, government recommendations or recommendations as a result of audits.

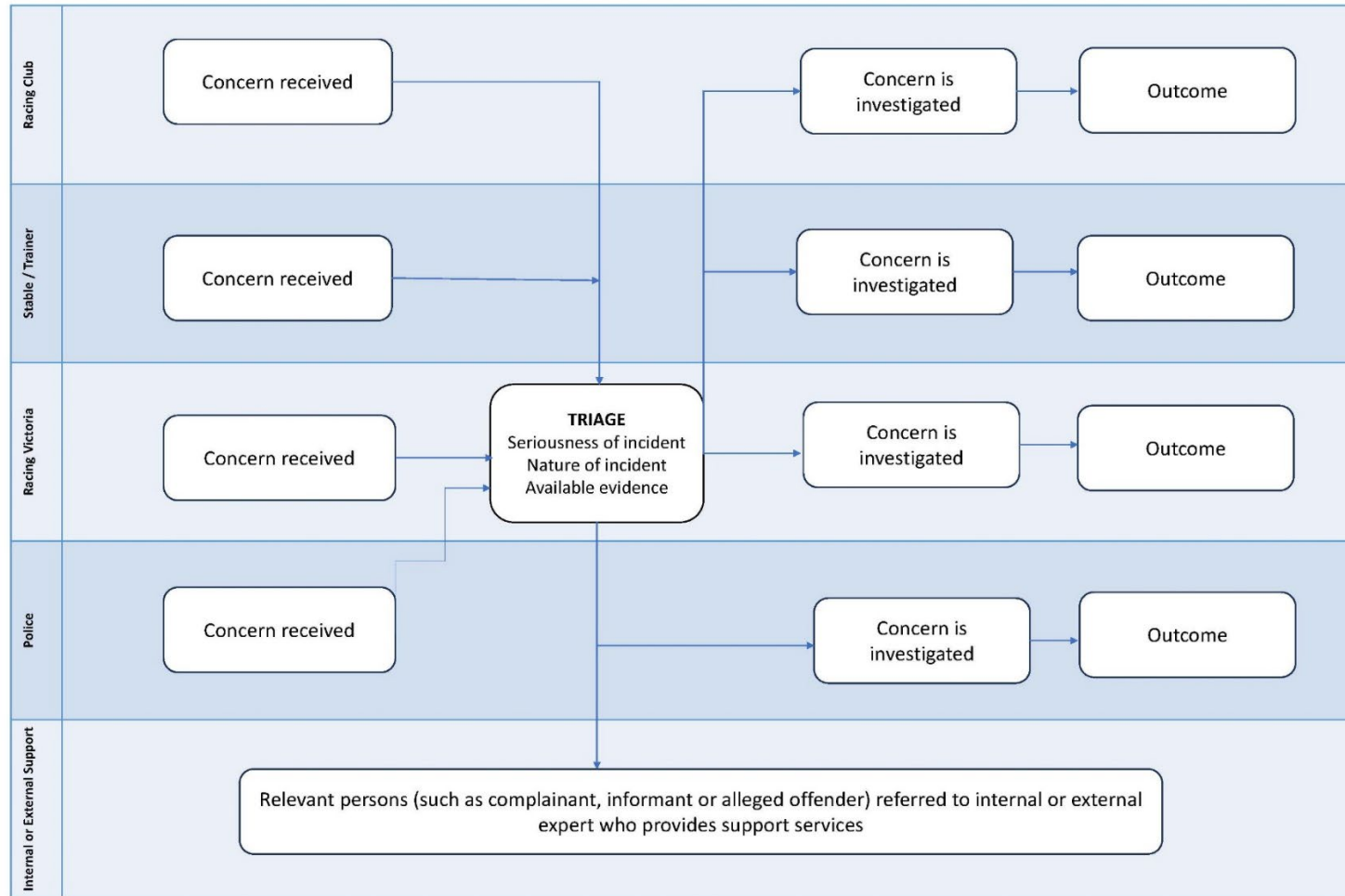
In addition to this regular review, recommendations for changes to this Policy may be submitted to RV's Integrity Services department for consideration. In the event that changes are implemented, the Policy will be updated via RV's website.

This Policy will be made available to the general public on RV's website and will be communicated to all Board and staff members of RV and all Clubs and Participants.

Version	Nature of Change	Reviewing Party	Approval Date
2.0	<ul style="list-style-type: none"><li>Updated to new template format</li><li>Minor changes to align with the SYPP</li></ul>	EGM - ISD	June 19
3.0	<ul style="list-style-type: none"><li>Grammatical changes</li><li>Changes to shorten document with definitions safeguarding concerns</li><li>Inclusion of WWCC information</li></ul>	EGM - ISD	13 Dec 22
3.1	<ul style="list-style-type: none"><li>Annual review</li><li>Grammatical changes</li></ul>	EGM - ISD	22 Nov 23

## 10. Attachment A- Safeguarding Concern Handling

Annexure Participant Protection Flowchart





**Racing  
Victoria**

**Racing Victoria Limited**

400 Epsom Road, Flemington, Victoria 3031  
RACINGVICTORIA.COM.AU