



# Swimming Australia CODE OF CONDUCT

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## 1. Introduction

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- 1.1. Swimming Australia is committed to making swimming a safe and fair place for all participants. To achieve this, Swimming Australia has adopted the National Integrity Framework.
- 1.2. The National Integrity Framework is designed to assist with creating a safe and fair sporting environment for all by setting out the rules about the types of behaviour that are unacceptable in swimming. This Code of Conduct is a policy that supplements the National Integrity Framework.
- 1.3. This Code of Conduct aims to ensure that everyone involved in swimming is aware of the standards of behaviour expected of them and the mechanism for dealing with any conduct that is alleged to breach the Code of Conduct.
- 1.4. This Code of Conduct:
  - (a) Prescribes Prohibited Conduct; and
  - (b) Seeks to guide Relevant Persons and Relevant Organisations on what to do if they experience or witness breaches of the Code of Conduct.

## 2. Definitions

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In this Policy the following words have the corresponding meaning:

**Activity** means a sporting contest, match, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition, sanctioned or organised by a Relevant Organisation.

**Athlete** means a person who is registered, or entitled to participate, in an Activity.

**Authorised Provider** means any non-Sport Organisation authorised to conduct an Activity.

**Club** means any club that enters an Athlete or a Team to participate in an Activity.

**Code of Conduct** means this Code of Conduct.

**Contractor** means any person or organisation engaged to provide services for or on behalf of a Relevant Organisation, and includes:

- (a) agents, advisers, and subcontractors of a Relevant Organisation; and
- (b) employees, officers, volunteers and agents of a contractor or subcontractor.

**Employee** means a person employed by a Relevant Organisation.

**Member** means a member of a Relevant Organisation, including:

- (a) **Member Associations**, which means each company or incorporated association that is a member of Swimming Australia, including each:
  - i. state, territory, and Club Member; and
  - ii. affiliate that is a member of a state and territory Member.
- (b) **Individual Members**, which means individuals who are individuals registered with a Relevant Organisation.

**National Integrity Framework** means the Swimming Australia “National Integrity Framework” adopted by a Relevant Organisation from time to time, as developed by Sport Integrity Australia and consisting of the following five policies:

- (a) Safeguarding Children and Young People Policy;
- (b) Competition Manipulation and Sport Gambling Policy;
- (c) Improper Use of Drugs and Medicine Policy;

- (d) Member Protection Policy;
- (e) Complaints, Disputes and Discipline Policy (the CDDP).

**Participant** means:

- (a) Athletes;
- (b) Coaches appointed to train an Athlete or Team in an Activity;
- (c) Administrators who have a role in the administration, operation or Activity of a Relevant Organisation, including owners, directors, committee members or other persons;
- (d) Officials including referees, umpires, technical officials, or other officials appointed by a Relevant Organisation or any league, competition, series, club or team sanctioned by a Relevant Organisation;
- (e) Support personnel who are appointed in a professional or voluntary capacity by a Relevant Organisation or any league, competition, series, Club or Team sanctioned by a Relevant Organisation including sports science sport medicine personnel, team managers, agents, selectors, and team staff members; and
- (f) Parents/carers and spectators who are subject to registration conditions, event conditions or venue conditions of entry that requires compliance with this Code of Conduct.

**Prohibited Conduct** means the conduct proscribed at clause 5.1 of this Code of Conduct.

**Relevant Organisation** means any of the following organisations:

- (a) Swimming Australia;
- (b) Member Associations; or
- (c) Any other organisation that has agreed to be bound by this Code of Conduct.

**Relevant Person** means any of the following persons:

- (a) Individual Member;
- (b) Participant;
- (c) Employee;
- (d) Contractor;
- (e) Volunteer; or
- (f) Any other person who has agreed to be bound by this Code of Conduct.

**Swimming** means the sport of swimming as governed by Swimming Australia and World Aquatics from time to time.

**Swimming Australia** means Swimming Australia Limited (ACN 109 333 628)

**Team** means a collection or squad of Athletes, registered with a Relevant Organisation or entitled to participate in an Activity.

**Volunteer** means any person engaged by a Relevant Organisation in any capacity who is not otherwise an Employee or Contractor, including directors and office holders, coaches, technical officials, administrators and team and support personnel.

### 3. Jurisdiction

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#### 3.1. To whom the Code of Conduct applies

The Code of Conduct applies to:

- (a) Relevant Persons; and
- (b) Relevant Organisations.

#### 3.2. When the Code of Conduct applies

- (a) All Relevant Persons and Relevant Organisations to which this Code of Conduct applies must comply with this Code of Conduct (while they are a Relevant Person or Relevant Organisation):
  - (i) In relation to any dealings they have with Relevant Organisations or their staff, contractors and representatives;
  - (ii) Wherever there is a recognised swimming or Relevant Organisation connection, including participation in Activities and on social media where there is such a connection;
  - (iii) When dealing with other Relevant Persons or Relevant Organisations in their capacity as a Relevant Person or Relevant Organisation; and
  - (iv) In relation to their membership or standing as a Relevant Person or Relevant Organisation in general.
- (b) Where there is no direct or indirect link other than the fact that one or more parties are Relevant Persons or Relevant Organisations, interactions (including social media interactions) involving one or more Relevant Persons or Relevant Organisations are not within the scope of this Code of Conduct.
- (c) Where the Relevant Organisation determines, in its absolute discretion, that the alleged Prohibited Conduct would be more appropriately dealt with under a different policy, it may refer the alleged Prohibited Conduct for determination under that other policy.

### 4. Expected Behaviours

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Our behavioural framework shapes the culture of Swimming Australia and our Member Associations and influences the Australian swimming community.

We all commit to our values of **Courage Unity & Excellence** and strive to provide a safe, welcoming and inclusive environment for everyone involved in swimming.

Relevant Persons and Relevant Organisations must:

- (a) Act and operate within the rules and spirit of swimming;
- (b) Be ethical, considerate, fair and honest in all dealings with other people and organisations;
- (c) Act with honesty, integrity and objectivity and be accountable for their own behaviour and actions;
- (d) Maintain appropriate, professional relationships with other Relevant Persons at all times;
- (e) Accept and respect the authority of technical officials and not use offensive language or behaviour, show unnecessary dissension, displeasure or disapproval towards a technical official, whether in or out of the pool or open water;

- (f) Treat all Relevant Organisation representatives and other stakeholders with courtesy, respect, dignity and have proper regard for their rights and obligations;
- (g) Act with care and diligence to safeguard the health and safety of themselves, Relevant Organisation representatives and ensure their decisions and actions contribute to a safe environment and provide a safe environment for the conduct of Activities;
- (h) Be a positive role model for swimming and promote the values of swimming;
- (i) Take reasonable care when travelling and wearing Swimming Australia apparel to ensure the highest reputation is upheld;
- (j) Behave in a way that meets community expectations and be cognisant of one's behaviour at all times;
- (k) Immediately inform Swimming Australia if you are charged with a criminal offence;
- (l) Ensure that no kind of demonstration or political, religious or racial propaganda is permitted on the field of play;
- (m) Not engage in conduct that is defined as Prohibited Conduct under a policy of the Swimming Australia National Integrity Framework.

*[Prohibited Conduct under the National Integrity Framework includes, without limitation:*

- *Abuse, bullying, harassment, sexual misconduct, unlawful discrimination, victimisation or vilification;*
- *Child abuse, grooming, misconduct with a child, failure to comply with child safe practices or with relevant obligations under child protection legislation including obligations relating to reporting, recruitment/screening and working with children checks;*
- *Improper manipulation of the result or course of a Sport activity or betting on a Sport activity;*
- *Inappropriate disclosure of inside information for the purposes of competition manipulation;*
- *Use, possession or trafficking of illegal drugs; and*
- *Non-compliance with certain requirements relating to medications, injections and supplements.*

*Relevant Persons and Relevant Organisations should refer to the National Integrity Framework policies for a full list of Prohibited Conduct captured by the National Integrity Framework and detailed descriptions of such Prohibited Conduct.]*

- (n) Respect and protect confidential information obtained through Activities, whether regarding personal or organisational information;
- (o) Not engage in behaviour that is:
  - (i) drunk and disorderly;
  - (ii) public or domestic violence;
  - (iii) continued or unreasonable disruption of Relevant Organisation representatives performing their duties; or
  - (iv) unlawful or unsafe;
- (p) Not undertake any behaviour prohibited by a venue's ticketing or entry conditions, at, in or around that venue at which an Activity is taking place;
- (q) Not behave in a manner that creates a public nuisance and/or disturbance within or around a venue at which an Activity is taking place;
- (r) Comply with all reasonable directions of, and accept all decisions of, representatives of Relevant Organisations whilst they are undertaking their duties;

- (s) Maintain the required standard of accreditation and/or licensing of professional competencies as required in your role; and
- (t) Not be in the possession or under the influence of an illegal drug, at, in or around a venue at which an Activity is taking place.

## **5. Prohibited Conduct**

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5.1. A Relevant Person commits a breach of this Code of Conduct when they:

- (a) Conduct themselves in any manner, or engage in any activity whether before, during or after an Activity that would impair public confidence in the safe and orderly conduct of the Activity;
- (b) Engage in any conduct or activity including, without limitation, making public comment (including on social media) which:
  - (i) brings a Relevant Organisation, a Relevant Person or swimming into disrepute; or
  - (ii) is or could be harmful to the interests of a Relevant Organisation or swimming];
- (c) Make improper use of information acquired by virtue of their position in a Relevant Organisation or in any Team or Athlete selected by a Relevant Organisation or their relationship with a Relevant Organisation to gain, directly or indirectly, an advantage for themselves or for any other person or to cause detriment to a Relevant Organisation; or
- (d) Do not comply with any of clauses 4(i) through 4(n), inclusive.

## **6. Complaints, Disputes and Discipline Policy**

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The Swimming Australia Complaints, Disputes and Discipline Policy applies to any alleged Prohibited Conduct under this Code of Conduct.