

# CODE OF CONDUCT

## Olympic Winter Institute of Australia

Date: 5 July 2022

<b>Policy Name:</b>	<b>Code of Conduct</b>
<b>Date of Approval:</b>	5 July 2022
<b>Policy Coverage:</b>	Conduct expectations, excluding Prohibited Conduct under the National Integrity Framework
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## 1. BACKGROUND

- (a) The Olympic Winter Institute of Australia (**OWIA**) is committed to promoting and strengthening the positive image of Winter Sports and their Participants in Australia and to ensuring that everyone involved with Winter Sports is treated with respect and dignity.
- (b) This Code of Conduct (**Code**) aims to ensure that Relevant Persons or Relevant Organisations involved in Winter Sports 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.
- (c) This Code:
  - (i) Prescribes Prohibited Conduct;
  - (ii) Can be adopted by OWIA without amendment; and
  - (iii) Does not cover conduct and disciplinary matters arising under policies that form part of the National Integrity Framework (**NIF**).
- (d) The NIF does not apply to this Code but sits alongside it. Where a provision is inconsistent with the NIF, the NIF will apply to the extent of that inconsistency.

## 2. DEFINITIONS

In this Code the following words have the corresponding meaning:

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

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

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

**National Integrity Framework** or **NIF** means the set of “National Integrity Framework” integrity policies produced by Sport Integrity Australia (**SIA**) from time to time if and as adopted by OWIA.

**Olympic Winter Institute of Australia** or **OWIA** means the Olympic Winter Institute of Australia.

**Participant** means:

- (a) Athletes who are registered with OWIA or entitled to participate in an Activity;
- (b) Coaches appointed to train an athlete or team in an Activity;
- (c) Administrators who have a role in the administration or operation of a Sport Organisation, including owners, directors, committee members or other persons;
- (d) Officials including referees, umpires, technical officials, or other officials appointed by OWIA or any league, competition, series, club or team sanctioned by OWIA;



- (e) Support personnel who are appointed in a professional or voluntary capacity by OWIA or any league, competition, series, club or team sanctioned by OWIA 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 or venue conditions of entry that requires compliance with this Code.

**Prohibited Conduct** means the conduct proscribed at **clause 5(a)** of this Code.

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

- (a) OWIA;
- (b) An Authorised Provider;
- (c) A team, which means any collection or squad of athletes who compete and/or train in Winter Sports; and
- (d) Any other organisation that has agreed to be bound by this Policy.

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

- (a) An individual registered with or recognised by OWIA;
- (b) A Participant;
- (c) An employee employed by OWIA or an Authorised Provider;
- (d) A contractor engaged directly or via an organisation to provide services for or on behalf of OWIA or an Authorised Provider;
- (e) A volunteer engaged by OWIA or an Authorised Provider in any capacity who is not otherwise an employee or contractor, including directors and office holders, officials, administrators and team and support personnel; and
- (f) Any other individual who has agreed to be bound by this Policy.

**Winter Sports** means those disciplines that are supported by OWIA Programs at any given point in time.

### 3. JURISDICTION

#### 3.1 *To whom the Code applies*

The Code 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 applies must comply with this Code (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 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.
- (c) Where the OWIA 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. If the alleged Prohibited Conduct may also constitute Prohibited Conduct under a NIF policy, the Relevant Organisation will manage that alleged Prohibited Conduct under that policy unless and until it is determined that the matter should be managed as Prohibited Conduct under this Code.
- (d) For the avoidance of doubt, if a Relevant Person or Relevant Organisation is bound by the by-laws, agreements or policies of the AOC, such by-laws, agreements or policies will prevail to the extent of any inconsistency with this Code of Conduct.

## 4. EXPECTED BEHAVIOURS

Relevant Persons and Relevant Organisations must:

- (a) Act and operate within the rules and spirit of Winter Sports;
- (b) Act in accordance with the OWIA values of Excellence; Health; Integrity; Respect;
- (c) Be ethical, considerate, fair and honest in all dealings with other people and organisations;
- (d) Act with honesty, integrity and objectivity and be accountable for their own behaviour and actions;
- (e) Maintain appropriate, professional relationships with other Relevant Persons at all times;



- (f) Accept and respect the authority of Officials and not use offensive language or behaviour, show unnecessary dissension, displeasure or disapproval towards an Official, whether on or off the field of play;
- (g) Treat all Relevant Organisation representatives and other stakeholders with courtesy, respect, dignity and have proper regard for their rights and obligations;
- (h) 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;
- (i) Not engage in conduct that is defined as Prohibited Conduct under any policy of the NIF.

Subject always to relevant definitions in the NIF, Prohibited Conduct under the NIF 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;
- 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 NIF policies for a full list of Prohibited Conduct captured by the NIF and detailed descriptions of such Prohibited Conduct.

- (j) Respect and protect confidential information obtained through Activities, whether regarding individuals or organisational information;
- (k) 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;
- (l) 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;
- (m) 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;
- (n) Comply with all reasonable directions of, and accept all decisions of, Relevant Organisation representatives; and
- (o) 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

- (a) A Relevant Person commits a breach of this Code when they:
  - (i) 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;
  - (ii) Engage in any conduct or activity including, without limitation, making public comment (including on social media) which:
    - (A) brings a Relevant Organisation, a Relevant Person or Winter Sports into disrepute; or
    - (B) is or could be harmful to the interests of a Relevant Organisation or Winter Sports;
  - (iii) Make improper use of information acquired by virtue of their position in a Relevant Organisation or in any team 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
  - (iv) Do not comply with any of clauses 4(i) through 4(n), inclusive.
- (b) Conduct that is alleged Prohibited Conduct under the NIF will be dealt with by SIA in accordance with the NIF whether or not it is also prohibited under this Code.

## 6. CONDUCT AND DISCIPLINARY POLICY

Subject to **clause 5(b)**, the OWIA Conduct and Disciplinary Policy applies to any alleged Prohibited Conduct under this Code.