



# **WASPS and TID**

## **Athlete Code of Conduct**



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## 1.0 Introduction

Athletes from Paddle WA (PWA) represent WA, and at times Australia, during training and competition performances. The representation extends beyond time and place of sport as PWA athletes uphold community values and act as role models. This representation carries with it great opportunities and commensurate responsibilities and obligations. Ignorance of those responsibilities can damage the individual, the organisation and the team the athlete represents.

PWA is vigilant in the development of athlete's attitudes and behaviour. Consistent with our values PWA athletes are periodically reviewed in terms of the behaviour the athlete exhibits. This internal process is a primary intervention and provides PWA with a mechanism to assess and, where necessary, modify athlete's behaviour. This internal process acts to proactively educate and, if required, intervene to assist athletes to develop the set of values and attitudes that are consistent with this Code of Conduct (Code). The proactive process is viewed as a preferable primary intervention and could be considered that the internal process substitutes formal Code of Conduct processes for minor breaches of the Code. Hence, when the Code is enacted it is done so for more serious breaches and where a primary intervention is not sufficient given the circumstances surrounding the alleged breach has occurred.

In this Code, "athlete" represents an individual or squad member duly appointed to the Talent Identification Program (TID) or the WA Sprint/Slalom Pathway Squads (WASPS). The governance of the Code will extend throughout the entirety of an athletes appointment to these squads.

The Code is prepared in conjunction with existing documentation and athletes are encouraged to be aware of details including the Paddling Australia Anti-Doping policy.

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## 2.0 Guiding Principles for Elite Athlete Conduct

Athletes are in a position where performances during training and competition will affect the reputation and success of PWA (sporting and otherwise). The values of PWA place an expectation on athletes to ensure their behaviour is excellent and at the same time respectful to the dignity of people. The four key principles below provide the framework of the Code.

Athletes will:

### ***Principle 1: Pursue Athletic Excellence with Sportsmanship***

- 2.1.1. Obey the officials, rules, and spirit of the rules for one's chosen sport.
- 2.1.2. Treat team members and opponents with respect.
- 2.1.3. Perform and react with dignity regarding decisions of officials.
- 2.1.4. When appropriate, and with due respect, follow the appropriate avenues for appeal.
- 2.1.5. Comply with the Paddle Australia Anti-Doping Policy.

- 2.1.6. Recognise the importance of partnerships between PWA and other sporting organisations (i.e. National Sporting Associations and other State Sporting Associations).
- 2.1.7. Compete fiercely with a characteristic of humility in the face of all outcomes.

***Principle 2: Treat People with Respect***

- 2.2.1. Maintain respect for oneself so as to form a strong basis for respecting others.
- 2.2.2. Observe and learn, respect for others changes according to cultural and contextual boundaries.
- 2.2.3. Treat people involved in sport with courtesy and proper regard for their rights.
- 2.2.4. Work cooperatively with fellow athletes, coaches, staff, sponsors, and key stakeholders and supporters of PWA.

***Principle 3: Use the Sporting Facilities and Equipment with the Highest Consideration***

- 2.3.1. Take care of PWA facilities, clubs and equipment to ensure their use is with the highest regard for safety of oneself, others, the facility and equipment.

***Principle 4: Observe the Expectations of being a Community Role Model***

- 2.4.1. Promote the integrity of PWA during training, competition and public engagements and PWA functions.
- 2.4.2. Recognise and act in a manner responsible for safeguarding the reputation (performance and otherwise) of PWA in the perception of all people and organisations external to PWA.
- 2.4.3. Take reasonable care when travelling and wearing PWA apparel to ensure the highest reputation is upheld.
- 2.4.4. Behave in a respectful manner in one's private life. At all times consider the required discretion and make judgements in all regards to ensure your sport and PWA, are not undermined and/or brought into disrepute by one's actions.

It is critical for athletes to be aware of the need to be cognisant of their behaviour at all times as the community often does not differentiate between when they are considered a PWA athlete and when considered a private citizen. This includes when using technology (including but not limited to mobile phones, Facebook, YouTube).

Examples of acceptable and unacceptable behaviour can be found in Appendix 1.

### **3.0 Categories of Breaches of the Code**

Primary and secondary interventions are employed at PWA. Primary interventions have an emphasis on education. Minor departures from the principles will be treated proactively and with a philosophy of education.

In circumstances where primary intervention process are assessed to be insufficient, or where the behaviour departs substantially from the principles and constitutes a potential breach of the Code, secondary interventions are required.

Secondary interventions, albeit always seeking to educate the athlete, also have an emphasis on compliance. The PWA Code of Conduct, including the Code itself, the hearings, and the sanctions imposed for confirmed breaches all represent a secondary intervention process.

Given the emphasis on compliance any alleged breach will be viewed through the following three categories:

#### **3.1 Level One – Nuisance Behaviour**

- This includes behaviours that are irritating, unpleasant but not physically dangerous or likely to cause concern to the PWA reputation.

#### **3.2 Level Two - Offensive Behaviour**

- This includes behaviours where there may be some physical danger to individuals or property and/or where the behaviour is likely to lead to some damage of the reputation of PWA. Offensive behaviours may also reflect repeat incidents of nuisance behaviours, which in spite of attempts to highlight and make changes using primary interventions the athlete continues to behave in a manner that breaches the Code.
- The behaviours in this category will include those that appear to have a negligent aspect.

#### **3.3 Level Three - Serious Misconduct**

- This includes behaviours that may be dangerous to individuals or property and are highly likely to lead to significant damage of the reputation of PWA. The behaviours in this category will include those that appear to have a reckless and/or intentional aspect.

Examples of the types of behaviour which define the level of breach and a summary of differences between the levels of behaviour, view Appendix 2.

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### **4.0 Procedures for Responding to a Breach of the Code**

The procedures for responding to breaches of the Code provide a framework. PWA and the athlete should use this framework to manage the case of inappropriate behaviour as governed by the Code.

The following general comments are made in relation to these procedures:

- 4.1. The rules of evidence do not apply to these investigations.

- 4.2. Investigation of complaints is not a process of Australian Law.
  - 4.3. Where investigation of an alleged breach is of a serious nature (level 3 breaches and some level 2 breaches), the athlete shall have the opportunity to have a support person if he/she so desires, the athlete shall notify the Code of Conduct Panel of the support representation at least seven days prior to the hearing commencing.
  - 4.4. A breach is defined as any behaviour which, when reviewed by PWA, is deemed to have contravened any clause contained within the Code. In the application of the Code, there will be three levels of a breach ranging from minor (i.e. Nuisance behaviour) to intermediate (i.e. Offensive behaviour), to major (i.e. Serious misconduct).  
Specific factors to consider as part of determining the appropriate response to an alleged breach of the Code include:
    - 4.5. The nature of the behaviour and the level of incident.
    - 4.6. The impact of the behaviour on the well-being of the athlete and those affected by the behaviour.
    - 4.7. The extent to which the incident will threaten the reputation of PWA.
    - 4.8. The level of disruption to staff members and/or use of the facility and equipment of PWA.
    - 4.9. The competition, training, and natural age of the athlete.
    - 4.10. Historical and personal characteristics of the athlete and the incident.
    - 4.11. Whether the alleged behaviour was a first or one of a series of repeated incidents where a pattern appears to emerge to describe the motives of the athlete.
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## **5.0 Process for Investigating Complaints**

5.1 Where the PWA Executive Officer/PWA President receives information that an athlete may have committed a breach of the Code, the PWA EO and PWA President in conjunction with a MPIO will investigate the matter. The MPIO (Member Protection Information Officer) and PWA President may consult affected/interested parties about their participation in any investigation. In consultation with the Program Coach, the MPIO will determine the severity of the alleged breach and commence the process as outlined following:

- 5.1.1. The MPIO will commence a process in accordance with specific procedures if the MPIO receives a formal complaint in writing or by email OR reasonably believes that an athlete may have committed a breach of the Code, OR receives a notice from a National Sporting Organisation (NSO) of a breach of that body's Code.

### **5.2 Level 1 Breach Nuisance Behaviour**

If the PWA Executive Officer receives a notice from an NSO or a formal complaint, or following an investigation, reasonably believes an athlete may have committed a level 1 breach, the PWA Executive Officer will make contact with the athlete outlining the nature of breach in the section related to relevant principle of this Code of Conduct.

### 5.3 Level 2 and 3 Breaches Offensive Behaviour and Serious Misconduct

If the PWA Executive Officer or PWA President receives a notice from an NSO or a formal complaint, or following an investigation, reasonably believes an athlete may have committed a level 2 or level 3 breach, the EO will;

- 5.3.1 Send the athlete a notice (infraction notice) within 7 days via email with a confirmation receipt which:
  - 55.3.1.1. Notifies the athlete of the alleged breach of the Code and the basis of such allegations clearly stipulates the level and implied seriousness by which PWA views the breach.
  - 55.3.1.2. Outlines the process for investigating the matter.
  - 55.3.1.3. Advises the athlete when and where the matter shall be heard and allows the athlete at least 14 days' notice before hearing the matter.
  - 55.3.1.4. Advises the athlete that, should they fail to attend the hearing or to make alternative arrangements within 3 days of receiving the notice, an Athlete Code of Conduct panel may hear the matter in absentia or alternatively, PWA may apply a sanction in accordance with clauses 5.6 or 5.7.
  - 55.3.1.5. Encloses a copy of the Code.
  - 55.3.1.6. Convene the Code of Conduct Panel after discussion with the MPIO
  - 55.3.1.7. Sends a copy of all relevant information to be forwarded to the Coach and the MPIO.

The athlete must attend a hearing in front of the Code of Conduct Panel at the agreed time.

The hearing must be no less than 14 days from the date the athlete received notice of the alleged breach.

A diagram of the process for investigating complaints can be found in Appendix 3

5.4 The Code of Conduct Panel members must consist of at least 2 and no more than 5 of the following people:

- 5.4.1 PWA Board Member;
- 5.4.2 External consultants deemed to have pertinent expertise in the area of athlete behaviour;
- 5.4.3 External consultants who have expertise in an area related to the incident said to constitute the breach;
- 5.4.4 The Program Coach or personal coach;
- 5.4.5 The PWA Executive Officer; or
- 5.4.6 Any other person the PWA President believes will assist in the conduct of the disciplinary hearing,
- 5.4.7 And at least one member of the Code of Conduct Panel must be independent of PWA.

5.4.8 Any person implicated in the misconduct is not permitted to be involved in the Code of Conduct Panel other than to provide evidence pertaining to the alleged breach.

5.5 The Code of Conduct Panel must conduct the hearing with a view to exploring the alleged breach and attempting to identify the antecedents, motivations and underlying factors maintaining the alleged breach. Notwithstanding, the Code of Conduct Panel:

5.5.1 May conduct the hearing in the manner it determines appropriate in the circumstances;

5.5.2 Must conduct the hearing in a timely manner and with as little formality as is possible in the circumstances;

5.5.3 May conduct the hearing by telephone or other conference facilities as appropriate;

5.5.4 May examine and cross examine witnesses; and

5.5.5 May be legally represented if the athlete has elected to be legally represented.

5.5.6 An athlete appearing before the Code of Conduct Panel must be given the opportunity to:

5.5.6.1. Present written submissions before the date of the hearing;

5.5.6.2. Present oral or written submissions at the hearing;

5.5.6.3. Call any witnesses necessary for his/her defence;

5.5.6.4. Examine and cross examine witnesses;

5.5.6.5. Be present throughout the hearing, except when the Code of Conduct Panel members retire to consider its decision; and

5.5.6.6. Be accompanied by a support person or, if the athlete has so elected, a legal representative.

5.5.7 The hearing must be transcribed, and a copy of the transcript signed by the athlete and each member of the Code of Conduct Panel. The signed transcript is deemed to be a true and accurate record of the hearing.

5.5.8 Within 14 days of the hearing, the Code of Conduct Panel must forward a written statement of its findings and recommended sanctions to the PWA Board via the PWA EO

5.5.9 Where the athlete is alleged to have committed a level 3 breach, the Code of Conduct Panel, if in light of all the evidence it considers appropriate, may determine that the athlete has committed a level 2 breach and recommend commensurate sanctions.

5.5.10 Where the athlete is alleged to have committed a level 2 breach, the Code of Conduct Panel, if in light of all the evidence it considers appropriate, may determine that the athlete has committed a level 3 breach. If the Code of Conduct Panel proposes to make a determination that an athlete alleged to have committed a level 2 breach has committed a level 3 breach, the Code of Conduct Panel must give the athlete notice in writing. Within 14 days after receiving the notice, the athlete may provide further written submissions to the Code of Conduct Panel. The Code of Conduct Panel must consider any further submissions before recommending sanctions.



5.5.11 The PWA Board must approve the sanctions recommended by the Code of Conduct Panel or propose alternative sanctions at the next scheduled PWA Board meeting. If the PWA Board proposes alternative sanctions, the Code of Conduct Panel must reconvene within 7 days to consider the proposal. The Code of Conduct Panel's determination of the appropriate sanctions, after considering the PWA Board's proposal is final.

5.5.12 The Code of Conduct Panel must confirm the sanctions to the athlete in writing within 7 days of the PWA Board approving the sanctions recommended by the Code of Conduct Panel, or the Code of Conduct Panel's final determination of the appropriate sanction, after considering the PWA Board's proposal.

### **5.6 Sanctions for Level 2 Breaches**

Where the Code of conduct Panel from a disciplinary hearing determine the athlete is guilty of a level 2 breach of the Code they may recommend any one or more of the following:

- 5.6.1 Dismiss the disciplinary hearing with an oral reprimand and no further action.
- 5.6.2 Issue the athlete with a first and final written warning.
- 5.6.3 Suspend access to the program/squad for a specified period.

### **5.7 Sanctions for Level 3 Breaches**

Where the Code of Conduct Panel determines the athlete is guilty of a level 3 breach of the Code they may recommend that:

- 5.7.1 The athlete is banned from selection to represent PWA for a specific period of which can include a permanent ban.
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### **6.0 Repeat Breaches of the Code**

Where a breach is deemed to be of the same severity but is committed within 12 months of the previous breach, the sanctions available for the subsequent breach will be those available in the subsequent category. For example, where a complaint of a second level 1 breach is received within 12 months, this will permit the Code of Conduct Panel to impose one or any of the sanctions in Level 2 and Level 3.

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### **7.0 Right of Appeal**

An athlete found guilty of a breach shall have the right to appeal to the EO in writing to the Code of Conduct Panel within 14 days of being notified of the panel's decision.

Grounds for appeal shall be limited to due process errors.

Where permission is given to hear an appeal a new Code of Conduct Panel shall be appointed, where the panel shall consist of at least three members, one of whom shall be independent of PWA and two of whom shall be different from the members who heard the breach at first instance

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## **APPENDIX 1**

### Examples of Acceptable and Unacceptable Behaviour

The illustrations outlined in this section are not exhaustive, and the fact that a conduct is not addressed by these examples does not indicate that PWA endorses it as either complying with or contravening the Code. These examples are offered as an illustration of the Code in practice. It is strongly encouraged that the individual always aspires to the highest possible standards of conduct.

## **BEHAVIOUR EXAMPLES OF HOW TO MEET THE CODE**

### **Principle 1: Pursue excellence with sportsmanship**

Athletes must:

- Comply with Paddle Australia's anti-doping and other policies.
- Give acknowledgement and encouragement for the performance of other competitors.
- Work cooperatively with the appointed coaches.
- Be honest and truthful in their communications with PWA and its partners.

Athletes must avoid:

- Inappropriate and/or excessive complaints to judges and/or officials during competition or selection processes.
- Behaving in excessively haughty and arrogant ways towards other competitors and/or spectators.

### **Principle 2: Treat people with respect**

Athletes must:

- When requested by members external to PWA always seek to provide a positive and encouraging public comment on PWA, the staff, and the organisation more generally.
- When posting on social media maintain a high level of discretion and good judgement in regards to the content of each post.

Athletes must avoid:

- Behaving in a manner that becomes unlawful, creates a public nuisance, and/or public disturbance.

- Non-compliance with the cultural norms and expectations of others.
- Making unfounded or nuisance allegations against members of staff, officials and fellow athletes.

### **Principle 3: Use the facilities and equipment with the highest consideration**

Athletes must:

- Comply with the expected behaviours (e.g. use of footwear, use of equipment) and directions provided by the staff.
- Consult with the head coach regarding, and working towards, the attainment of athletic excellence and your highest potential.

### **Principle 4: Observe the expectations of being a role model**

Athletes must:

- Abide by both the rules and the spirit of their sport.
- Be prepared to behave in a positive light when travelling to and from competitions when representing PWA or at PWA functions.
- Exhibit the highest standards of behaviour whenever representing PWA including on social media.

Athletes must avoid:

- The intentional, or unintentional, display of excessive dissent with the decisions made by officials.
  - The engagement in, and/or exposure of, damaging private behaviour to an individual or to have the capacity to detract from the reputation of PWA.
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## **APPENDIX 2**

Examples of the types of behaviour which define a Level One – Three breaches of the code

### **Level One – Nuisance Behaviour**

This includes behaviours that are irritating, unpleasant but not physically dangerous or likely to cause concern to PWA reputation.

Examples include, but are not limited to the following:

- Poor language during competition and/or training.
- Behaviour in a public setting that is likely to cause concern to the reputation of the athlete or PWA.

- Posting content on social media that is likely to cause concern to the reputation of the athlete or PWA.

### **Level Two - Offensive Behaviour**

This includes behaviours where there may be some physical danger to individuals or property and/or where the behaviour is likely to lead to some damage of the reputation of PWA. Offensive behaviours may also reflect repeat incidents of nuisance behaviours, which in spite of attempts to highlight and make changes using primary interventions the athlete continues to behave in a manner that breaches the Code.

The behaviours in this category will include those that appear to have a negligent aspect. The behaviours are concerning due to the physical, emotional or psychological damage the behaviour can have on the individual, others and/or potential damage to property. The behaviour has the potential to significantly disrupt the training or competition performance of themselves or others (e.g. in a team environment). The behaviour is considered offensive because it does not correspond to the principles of values of PWA. In the context of seeking elite performance, the behaviour is likely to lead to some damage to the reputation of PWA.

Examples include, but are not limited to the following:

- Damage caused to accommodation that requires the accommodation management to intervene and notify PWA or staff.
- Disrespect for team rules when travelling with a PWA or National Team.
- Deliberate marking or damaging PWA property/equipment such that the intended use of that property/equipment is significantly reduced.
- Behaviour in a public setting that brings the athlete or PWA into disrepute or is likely to lead to some damage to the reputation of the athlete or PWA.
- Using social media in a way that brings the athlete or PWA into disrepute or is likely to lead to some damage to the reputation of the athlete or PWA.

### **Level Three - Serious Misconduct**

This includes behaviours that may be dangerous to individuals or property and are highly likely to lead to significant damage of the reputation of PWA. The behaviours in this category will include those that appear to have a reckless and/or intentional aspect. The individual, through their behaviour, has demonstrated an overt objection to the PWA principles or values. The behaviours are deemed to be reckless or malicious because the impact on others or the organisation is inconsequential to the individual. Examples include, but are not limited to the following:

- Any behaviour that is found to be harassment of or discriminates unfairly against any other person.

- Making unfounded or nuisance complaints against members of PWA staff, sporting officials, or fellow athletes.
- Wilfully participating in any behaviour, which is by law illegal whilst representing PWA.
- Any wilful act such as destruction/obstruction/interference in an activity sponsored and or conducted by PWA.
- Use of alcohol and/or other drugs that leads to behaviour that is deemed unlawful and is made public through various mediums.
- Behaviour in a public setting that is likely to lead to significant damage to the reputation of the athlete or PWA.
- Using social media in a way that is found to be harassment of or discriminates unfairly against any other person.
- Using social media in a way that is likely to lead to significant damage to the reputation of the athlete or PWA.

**APPENDIX 3**

**Process for Investigating Complaints**

