



# COMMITTMENT STATEMENT CODE OF CONDUCT



SWIMMING VICTORIA  
COMMITTMENT STATEMENT  
CODE OF CONDUCT  
NOVEMBER 2016



## INTRODUCTION

A brief guide has been developed to provide an outline of your responsibilities to help keep our sport safe. This booklet summarises the expectations that Swimming Victoria has of all of its participants, be they athlete, coach, parent, spectator, official or administrator as well as the processes we will apply to any alleged failure to meet that responsibility.

To assist you we have used some general terms which are intended to paraphrase some of that document. Where there is any inconsistency with it the Safe Sport Framework will take precedence.

The guide also takes into account and makes reference to the Child Safe Standards that apply to all sporting organisations that operate and provide sporting services to children within Victoria from 1 January, 2017.

In particular this booklet is not intended to be nor should it be relied on as a complete statement of your responsibilities or a substitute for reading and understanding the Swimming Australia Safe Sport Framework, the Victorian Child Safe Standards or obtaining your own advice as to your responsibilities.

## WHY DO WE DO THIS?

Swimming is part of Australia's DNA. Whether people swim for competitive, recreational, health and wellbeing or leisure purposes, swimming benefits many Australians. We want swimming to be fun, enjoyable and safe for all.

Unfortunately, like many other sports and activities in society, poor conduct by one person can negatively impact the health and safety of others potentially resulting in profound psychological and/or physical damage. This is particularly so in relation to young people. For that reason these risks must be minimised to every extent possible.

All of us in the Australian swimming community have a role to play in ensuring that we keep our proud sport as safe and enjoyable as possible. We must proudly stand behind high behavioural standards in our sport and hold others to these standards too.

## OUR VALUES

Whilst the wording of stated values and behaviours may change depending on the team or organisation within Swimming with which you are associated, there are some key principles that drive our conduct and behaviour which are common across our sport:

### *Integrity and Respect*

We recognise the contribution that people make to sport, treat them with dignity and consideration, as well as being fair in our decision making.

### *Teamwork*

We collaborate and work together to achieve outcomes and resolve issues in and out of the pool.

## ***Fun and Enjoyment***

We recognise and reward the efforts of others and fuel the passion for everyone in our sport so they may have fun along the way.

## ***Excellence***

We strive to achieve the highest of standards in order to achieve the best possible outcomes for ourselves, our team and our sport.

## **OUR COMMITMENT**

As part of our “Safe Sport Commitment” we strive to:

- provide a safe environment for everyone involved in our sport;
- take an inclusive approach in our activities;
- ensure the safety and wellbeing of young people in our sport in particular;
- develop and maintain an effective child safe culture across all of our activities, programs and services; and
- support all people in our sport protect young children who are involved in swimming
- promote and support the cultural safety of Aboriginal children, children from culturally and linguistically diverse backgrounds and children with a disability

That is why we take seriously our obligation to educate and inform everyone involved in our sport of their own responsibility to:

- protect and look after each other;
- protect and look after young people; and
- create and maintain a child-safe culture and also a culture of inclusion and safety that is understood, endorsed and put into action by all.

## **WHAT ARE THE CODES OF CONDUCT?**

There are two key elements to the Codes of Conduct:

1. The *General Code of Conduct* which relates to all people involved in swimming; and
2. The *Code of Conduct for Young People* which is designed to keep safe all young people involved in our sport.

They should be read in conjunction with:

- Swimming Australia rules, regulations and policies;
- all relevant laws which apply in the place where you live and work;
- general community expectations of appropriate behaviour with both adults and young people alike.

## GENERAL CODE OF CONDUCT

Everyone in swimming must, at all times:

- (a) Respect the rights, dignity and worth of others regardless of their gender, ability, ethnicity, cultural background or religion;
- (b) Be ethical, considerate, fair, courteous and honest in all your dealings with other people and organisations;
- (c) Be professional in, and accept responsibility for your actions;
- (d) Be aware of and follow Swimming Australia's and Swimming Victoria's standards, rules, policies and procedures and promote them to others;
- (e) Operate within the rules and spirit of the sport, be they state, national or international;
- (f) Understand the possible consequences of breaching the Safe Sport Framework;
- (g) Report any breaches of the Safe Sport Framework to the appropriate person;
- (h) Do not abuse, harass, discriminate against or victimise any other person;
- (i) Raise concerns regarding official decisions through the appropriate channels and in a timely manner;
- (j) Provide a safe environment for swimming activities;
- (k) Show concern, empathy and caution toward anyone who may be sick or injured;
- (l) Be a positive role model to all;
- (m) Respect and protect confidential and/or sensitive information obtained through your involvement in swimming;
- (n) Maintain the required standard of accreditation and/or licensing of professional competencies, as applicable to your role(s);
- (o) Ensure that any physical contact with others is appropriate to the situation and necessary for the person's skill development; and
- (p) Refrain from intimate relations with persons over whom you have a position of authority.

In addition to these requirements the following paragraphs set out our expectation of the conduct of people within specific groups involved in swimming.

# COMPETITORS

Competitors must, at all times:

- a) Give your best at all times;
- b) Never argue with an official;
- c) Control your temper – physical or verbal abuse is never acceptable;
- d) Work equally hard for yourself and your team;
- e) Be a good sport; and



- f) Cooperate with your coaches, teammates, opponents, officials, management and event staff.

## COACHES

Coaches must, at all times:

- a) Help everyone reach their potential;



- b) Compliment and encourage with positive support and feedback; and
- c) Be mindful of the potential damage caused by over training or too much competition.

## OFFICIALS

Technical officials must, at all times:

- a) Be consistent, courteous and objective when making decisions;

- b) Emphasise the spirit of fair competition; and
- c) Prioritise the safety and welfare of all participants;



## PARENTS/CARERS

Parents and carers must, at all times:

- a) Encourage participation by your child for their individual enjoyment;
- b) Focus on effort rather than the result;
- c) Encourage your child to abide by the rules and decisions of Technical and other



officials;

- d) Never argue with an official;
- e) Control your temper – physical or verbal abuse is never acceptable; and
- f) Be an example for your child.

## ADMINISTRATOR

All Administrators must, at all times:

- a) Act in the best interests of the sport;
- b) Make decisions objectively unaffected by prejudice, conflict of interest or bias; and
- c) Resolve conflicts fairly and promptly in accordance with established procedures.



## CODE OF CONDUCT FOR YOUNG PEOPLE

Everyone in swimming must:

- a) Use language around young people which is positive and affirming and not in any way:
  - discriminatory
  - racist
  - sexist
  - derogatory or negative
  - threatening or intimidating; and/or
  - profane or sexual in nature or content.
  
- b) Only use social media and electronic communications to communicate with a young person on issues directly related to swimming related activities and, wherever possible, copy such communication to the parent or carer. Further such communication should never be used to arrange unauthorised social contact or include anything of a sexual nature.
  
- c) Ensure that any physical contact with a young person is necessary and appropriate to the swimming related activity;
  
- d) Never engage in any sexual behaviour whether involving physical contact or not with or in the presence of a young person;
  
- e) Not provide transportation for or engage in any social contact with a young person unless specifically authorised by that person's parent or carer;
  
- f) Avoid unsupervised situations with young people;
  
- g) Not give gifts to a young person without approval from that person's parent or carer;
  
- h) Not take any images of a young person unless:
  - Prior permission has been obtained;
  - It is directly related to participation in swimming;
  - The young person is appropriately dressed and posed; and
  - It is taken in the presence of another person in authority.
  
- i) Never allow overnight stays by a young person unless
  - Prior permission has been obtained from the parent or carer and Swimming Victoria or the young person's swimming club; and
  - The practices and behaviour during any such stay are consistent with the Safe Sport Framework and generally accepted community standards.
  
- j) Avoid one on one situations with a young person in a change room whilst balancing any requirement for supervision of a young person in a change room with their right to privacy;
  
- k) Whilst carrying out any role in swimming, paid or otherwise:
  - Use, possess, supply or be under the influence of alcohol or any illegal, illicit or performance enhancing substance; or

- Smoke any tobacco related product.

## **WHAT IF THERE HAS BEEN A BREACH OF THE SAFE SPORT FRAMEWORK?**

In general terms anyone, whether involved in swimming or not, can raise a concern with us regarding any behaviour, omission, situation or decision which may be a breach of the Codes of Conduct or the Safe Sport framework.

### **We will always:**

- a) Deal with it fairly, transparently and in a timely manner;
- b) Communicate on a regular basis with all parties concerned;
- c) Apply the principles of procedural fairness to a complaint; and
- d) Report any serious allegations involving a young person to relevant authorities.

Depending on the nature of the concern or complaint we will deal with it in the manner set out in the Safe Sport Framework.

## **WHAT ARE THE CONSEQUENCES OF A BREACH?**

Again this will depend on the nature and seriousness of the breach. All alleged breaches will be investigated and may result in the imposition of disciplinary measures. Other than cases involving sexual matters, serious criminal conduct or child abuse (as defined in the Safe Sport Framework) Swimming Victoria may refer a complaint to mediation.

The types of disciplinary measures that may be imposed are wide and varied but may include such things as:

- An apology
- Attendance at counselling
- A warning
- Withdrawal of privileges of membership
- Suspension from certain activities
- Deregistration/suspension of membership
- Termination of employment
- A monetary fine
- Any other form of discipline considered appropriate.

In certain cases a right of appeal exists from certain disciplinary decisions.

## LEGISLATIVE REQUIREMENTS

Swimming Victoria takes our legal responsibilities seriously, including:

**Failure to disclose:** Reporting child sexual abuse is a community-wide responsibility. All adults in Victoria who have a reasonable belief that an adult has committed a sexual offence against a child under 16 have an obligation to report that information to the police.<sup>1</sup>

**Failure to protect:** People of authority in our organisation will commit an offence if they know of a substantial risk of child sexual abuse and have the power or responsibility to reduce or remove the risk, but negligently fail to do so.<sup>2</sup>

Any personnel who are **mandatory reporters** must comply with their duties.<sup>3</sup>

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<sup>1</sup> A person will not commit this offence if they have a reasonable excuse for not disclosing the information, including a fear for their safety or where the information has already been disclosed.

Further information about the failure to disclose offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+disclose+offence>.

<sup>2</sup> Further information about the failure to protect offence is available on the [Department of Justice and Regulation website](http://www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence) <www.justice.vic.gov.au/home/safer+communities/protecting+children+and+families/failure+to+protect+offence>.

<sup>3</sup> Mandatory reporters (doctors, nurses, midwives, teachers (including early childhood teachers), principals and police) must report to child protection if they believe on reasonable grounds that a child is in need of protection from physical injury or sexual abuse.

See the Department of Health and Human Services website for information about [how to make a report to child protection](http://www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first) <www.dhs.vic.gov.au/about-the-department/documents-and-resources/reports-publications/guide-to-making-a-report-to-child-protection-or-child-first>.



For further information on Safe Sport, please visit our website: [vic.swimming.org.au](http://vic.swimming.org.au)  
The complete Safe Sport Framework is available on both Swimming Victoria and Swimming  
Australia websites: [www.swimming.org.au](http://www.swimming.org.au)