

HALE AQUATICS

Code of Conduct



1. Purpose and Scope

Hale Aquatics (the Club) is committed to making swimming a safe and fair sport for all participants and to achieve this, we have adopted Swimming Australia's National Integrity Framework. This *Code of Conduct* supplements the National Integrity Framework and aims to ensure that everyone involved in swimming at Hale Aquatics is aware of the standards of behaviour expected of them and the mechanism for dealing with any conduct that is alleged to breach this Code.

The Hale Aquatics Code of Conduct is consistent with and must be read in conjunction with Hale School's *Code of Ethics* and *Code of Conduct for Staff* with which the Board of Governors, staff, contractors and their employees, parents, visitors and volunteers are bound to comply. The scope of the Hale Aquatics Code of Conduct extends beyond the above listed respondents to all categories of club members (including where appropriate, those who are under the age of 18 years), instructors, coaches and supporters of the Club's activities and competitions.

The Code of Conduct does not seek to address all possible situations or issues which members of Hale Aquatics are likely to face during their involvement with Hale Aquatics activities. It does not attempt to provide a rigid, detailed, and exhaustive list of what to do in every circumstance. Instead, it sets out general expectations of the standards of behavior required and gives some examples of the types of behavior that are or are not acceptable. Where there is any doubt as to the applicability of the Code or to the appropriate course of action to be adopted, members, coaches, instructors and supporters are encouraged to promptly discuss the matter with the Hale Aquatics Member Protection Information Officer, a Member of the Hale Aquatics Management Committee or the Headmaster of Hale School.

2. Definitions

Adult By law in Australia an individual is considered to be an adult on attaining the age of 18 years.

Activity means a swimming contest, match, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition.

Child The United Nations Convention on the Rights of the Child defines child as, "A human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier." This is ratified by 192 of 194

member countries.

Child Abuse includes any form of physical abuse, sexual abuse, emotional, psychological abuse, and neglect.

Because we define some sections in Section 4 as "all adults" we need to define what a "child" is in law and conversely what an "adult" is in law. The important point being that 4.1 and 4.2 could by definition mean "adult" swimmers/competitors- who may themselves be reporting a coach.

Physical abuse is any intentional act, deliberately aggressive or violent behaviour by an individual or a group of individuals towards another, which results in injury, pain, or trauma to the victim. It may include but is not limited to, hitting, slapping, kicking, pinching, punching, choking, burning, scalding, or inappropriate restraint

Sexual abuse occurs when a child is exposed to, or involved in, sexual activity that is inappropriate to the child's age and developmental level. It includes sexual behavior in circumstances where:

- a) The child is the subject of bribery, coercion, threat, exploitation, or violence
- b) The child has less power than another person involved in the behavior
- c) There is significant disparity in the development function or maturity of the child and another person involved in the behavior.

Emotional abuse occurs when an adult harms a child's development by repeatedly treating and speaking to a child in ways that damage the child's ability to feel and express their feelings. Examples of emotional abuse are humiliating and shaming a child or exposing a child to domestic violence.

Psychological abuse is repeatedly treating and speaking to a child in ways that damage the child's perceptions, memory, self-esteem, moral development, and intelligence. Examples include constantly belittling or shaming a child, constantly ignoring a child.

Neglect is when children do not receive adequate food or shelter, medical treatment, supervision, care or nurturance to such an extent that their development is damaged, or they are injured. Neglect may be acute, episodic, or chronic. Some examples are leaving a child alone without adequate supervision, not providing medical help to a child when it is required.

Conflict of Interest is a situation which has the potential

HALE AQUATICS

Code of Conduct



HALE
SCHOOL

to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest.

Corporal Punishment is any punishment in which physical force is used and intended to cause some degree of pain or discomfort, however light; typically involving hitting the child with the hand or with an implement; can also include, for example, forcing the child to stay in an uncomfortable position. It does not include the use of reasonable physical restraint to protect the child or others from harm.

Degrading Punishment is any punishment which is incompatible with respect for human dignity, including corporal punishment and any physical punishment which belittles, denigrates, scapegoats, threatens, scares, or ridicules the child

Grooming in the context of child protection is the subtle, gradual, and escalating process, deliberate and purposeful, of building trust with a child and those around the child, both children and adults, with the express purpose of the sexual gratification of the perpetrator.

Mandatory Reporting is the legal requirement for teachers, nurses, persons of religious ministry, psychologists, school counsellors and boarding supervisors to make a report of child sexual abuse to the Department of Communities when a belief is formed, based on reasonable grounds, that sexual abuse has occurred or is occurring.

Misconduct is defined as any improper or unacceptable conduct which fails to meet the requirements of relevant legislation, codes of conduct, policies, procedures or all lawfully given directions (verbal or written) and has the potential to cause a risk to safety and health.

Reportable Conduct is sexual misconduct, sexual offences, physical assault of a child, neglect of a child and/or behaviour that causes significant emotional or psychological harm to a child which must be reported by the Head of an Organisation to the WA Ombudsman under the provisions of the Reportable Conduct Scheme.

3. Breaches of the Code of Conduct

All alleged breaches of the Code of Conduct will be subject to scrutiny in accordance with the provisions of the *Disputes, Complaints and Discipline Policy* and if substantiated will result in a range of possible actions.

The consequences of inappropriate behaviour and breaches of this Code will depend on the nature and seriousness of the breach, the likelihood of the breach recurring, whether the breach has been committed more than once, the risk the breach poses to members or others. Possible consequences may be disciplinary action such as a warning, suspension or termination of membership or employment as relevant.

All allegations of grooming will be reported by the School to the Teachers' Registration Board (where a teacher is involved) and to the Department of Education as a critical incident. Any potential illegal activity will be reported to the Police. If a mandatory report is required to be made, this should be done and then subsequently reported to the Headmaster of the School or the Chair of the School's governing body. Any allegation of reportable conduct is to be drawn to the attention of the Headmaster, who will fulfil his obligations under the Reportable Conduct Scheme.

4. Policy principles

It is expected that all members, parents, supporters, volunteers, staff, contractors, their employees, and representatives will uphold the School and Hale Aquatics values of integrity, respect, responsibility and excellence by adhering to the following principles:

4.1 Understand and comply with relevant Legislation (Commonwealth and State) and the Constitution of Hale Aquatics

All adults involved with Hale Aquatics will

- Understand and comply with statutory requirements applicable to the School, Swimming Australia's National Integrity Framework and Hale Aquatics' policies and procedures
- Be willing to seek advice and clarification on queries as they arise.
- Comply with all lawful directions and instructions
- Adhere to the provisions of the Hale Aquatics Constitution including the payment of Membership Fees if applicable by the date determined by the Management Committee
- Parents of members under the age of 18 years will ensure that their children understand they have a right to feel safe at the club and a responsibility to respect the rights of others, to refrain from all forms of bullying and harassment, celebrate diversity, be accepting of differences in race, culture, and sexual orientation and comply with Club rules and

HALE AQUATICS

Code of Conduct



HALE
SCHOOL

instructions.

4.2 Act honestly and in good faith

All adults involved with Hale Aquatics will

- Exercise positional and supervisory responsibilities as a member of the Management Committee, an instructor, coach or other staff member respecting the dignity, rights and entitlements of all involved with the Club
- Act responsibly on becoming aware of possible unethical behaviour or wrongdoing. This may include reporting to the Department of Communities and reporting to the Teachers Registration Board, the Director General of the Department of Education and/or the Police, the Headmaster and the Club's Management Committee.
- Avoid all situations in which a potential or actual conflict of interest arises in relation to the performance of one's duties as a coach or an official at a competition
- Declare any real or perceived conflict between your own financial or personal interests and those of the Club.

4.3 Demonstrate Respect and Courtesy

All adults and children involved with Hale Aquatics will

- Be respectful, courteous, and responsive in dealing with all members of the Hale Aquatics community
- Demonstrate compassion and sensitivity to the needs of others, their dignity, and their aspirations.
- Avoid discrimination which is any practice that makes distinctions between individuals or groups to disadvantage some people and advantage others because of an attribute such as age, sex, race, religion.
- Refrain from sexual harassment such as an unwelcome sexual advance, unwelcome request for sexual favours or any unwelcome conduct of a sexual nature such as physical touching, staring, leering, stalking etc.
- All members and in particular instructors, coaches and officials must maintain professional boundaries and interact with children and young people in a manner that is always polite and does not compromise professional integrity. They must understand that all forms of corporal and/or degrading punishment are prohibited

4.4 Uphold the Policy on Use of Drugs, Medications,

Alcohol and Tobacco

All adults and children involved with Hale Aquatics will

- Ensure the capacity to train, participate in competition or perform one's duties is not impaired by alcohol and drugs and that the use of such substances does not risk one's health and safety or the health and safety of others.
- Understand and comply with no 'vaping' or smoking boundaries on School premises which include buildings, sports fields, car parks, gardens, and all facilities
- Individuals found to be promoting or using performance enhancing substances will be subject to disciplinary processes or in the case of illegal behaviour, subject to the relevant laws pertaining to illegal performance enhancing substances.

4.5 Adhere to Privacy and Confidentiality requirements Coach and manager

Members of the Management Committee, Staff, Coaches and Instructors will Comply with the stringent legal requirements associated with the collection, release, and privacy of information

4.6 Demonstrate a Duty of Care and commitment to Occupational Safety & Health

All adults involved with Hale Aquatics will

- Take all reasonable steps to protect themselves, other club members, children and young people in particular, from risk of harm.
- Provide professional instruction, adequate supervision and implement strategies to prevent bullying or any issues pertinent to creating a psychosocial hazard.
- Provide or arrange for the provision of medical assistance as required to an injured swimmer.
- Ensure Hale Aquatic premises and facilities are clean, safe, and suitable for use
- Report any hazards that may have the potential to cause injury or risks to health and safety

4.7 Strive for Professionalism and Excellence

All adults and children involved with Hale Aquatics will

- Whilst striving for excellence, all participants, competitors, coaches and instructors will act and operate within the rules of competition and in a true sporting spirit.
- All at Hale Aquatics will accept and respect the authority of technical officials and not use offensive

HALE AQUATICS

Code of Conduct



HALE
SCHOOL

language or behaviour, show unnecessary dissension, displeasure or disapproval towards a technical official, whether in or out of the pool or open water

- In relation to other competitors? Extend standard courtesies to members of opposing teams and other competitors by acknowledging good performance and thanking officials.

5 Prohibited Conduct

Any individual who is a member of Hale Aquatics including a parent member, a member of staff, contractor, visitor, volunteer or supporter commits a breach of this Code when they engage in "prohibited conduct" under the National Integrity Framework which 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 swimming activity or betting on a swimming 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

6 Related Legislation and Policies

Legislation

- School Education Act 1999
- School Education Regulations 2000
- The Teachers Registration Act 2012
- Corruption and Crime Commission Act 2003
- Working with Children (Criminal Record Checking) Act 2004
- Fair Work Act (2009)
- Human Rights and Equal Opportunity Commission Act (1986)
- Sex Discrimination Act (1984)
- Western Australian Equal Opportunities Act (1984)
- Work Health and Safety Act 2020 (WA)
- Western Australia's Reportable Conduct Scheme

Hale School Policies

- Code of Conduct for all Staff
- Code of Ethics

- Child Protection and Mandatory Reporting Policy and Procedures

Hale Aquatics Policies

- Safeguarding Children & Young People Policy
- Member Protection Policy
- Improper Use of Drugs and Medicine Policy
- Competition Manipulation & Sports Gambling Policy
- Complaints, Disputes & Discipline Policy

Date originally approved:	Approving authority:
Date this version approved:	Date policy to be reviewed:
Policy Custodian: (Contact for queries)	Policy Category:

Policy Version
Changes Made