

UNDERSTANDING THE NATIONAL INTEGRITY FRAMEWORK

JUNE 2022

ACKNOWLEDGEMENT OF COUNTRY



In the spirit of reconciliation the agency acknowledges the Traditional Custodians of Country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past, present and future and extend that respect to all Aboriginal and Torres Strait Islander peoples.

We recognise the outstanding contribution Aboriginal and Torres Strait Islander peoples make to sport in Australia and celebrate the power of sport to promote reconciliation and reduce inequality.

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Disclaimer: The information contained in this booklet does not replace the National Integrity Framework or any of its policies. The Framework and its policies apply and overrule this booklet in any instance.

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WHAT IS THE NATIONAL INTEGRITY FRAMEWORK?

The <u>National Integrity Framework</u> is a suite of policies adopted by your sport which will set out rules for unacceptable behaviour in your sport and change the way Complaints about breaches of these rules are managed.

The Framework was developed by the independent government agency Sport Integrity Australia to keep your sport safe and fair.

The Framework is essentially a set of rules that all members of your sport need to follow when it comes to their behaviour and conduct in your sport.

The six policies which make up the National Integrity Framework are:



These policies outline what types of behaviour are unacceptable in your sport – these behaviours are called Prohibited Conduct. Prohibited Conduct is an action that is a breach of a policy – for example, bullying is Prohibited Conduct under the Member Protection Policy.

Any person or organisation who breaches a policy may be Sanctioned. A Sanction could range from mandatory education all the way up to a ban from participating.

The *Complaints, Disputes and Disciplines Policy* explains how people who have breached a National Integrity Framework policy are held accountable for doing the wrong thing.

In the past, complaints about someone's behaviour were managed by the sport's National Sporting Organisation, or State Sporting Organisation. Under the National Integrity Framework, Sport Integrity Australia will review all Complaints about behaviour which might be considered Prohibited Conduct under one of the policies. Sport Integrity Australia will also make the decision about any Sanction to be imposed. This means the handling of integrity issues is done independent of the sport, which reduces the risk of any perceived conflict of interest and allows National Sporting Organisations to focus their time and efforts on running the sport.

What does it mean for me?

As a member of a sport that has signed up to the National Integrity Framework, if someone behaves poorly by breaching one of the Policies, you can make a Complaint about the breach to Sport integrity Australia. It also means that if you breach a National Integrity Framework policy, you could be Sanctioned.



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Issues to report to Sport Integrity Australia

Anything that may constitute Prohibited Conduct in a policy **must be reported** to Sport Integrity Australia.

The full list of Prohibited Conduct is available later in this booklet, but includes things such as:

- Abuse
- Bullying
- Harassment
- Sexual Misconduct
- Unlawful Discrimination
- Victimisation
- Misconduct with a Child
- Grooming

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- Supply of Drugs or Alcohol to a Child
- Match, race or competition fixing and other types of Competition Manipulation
- Supplying inside information for the purposes of gambling

- Betting by members on their own sport
- Unlawful use of over the counter or prescription drugs
- Inappropriate use or provision of supplements
- Use, possession or trafficking of illegal drugs
- Concealing information about Prohibited Conduct
- Doping (managed under the sport's Anti-Doping Policy)

To report Prohibited Conduct, visit <u>sportintegrity.gov.au/making-integrity-complaint-or-report</u>



Issues to report to your sport

Your sport will continue to manage complaints on **all other issues**.

The range of issues your sport retains control over handling includes things such as:

- Selection and eligibility disputes
- Competition Rules disputes
- Code of Conduct breaches
- Social Media Policy breaches
- Governance misconduct
- Employment disputes
- Complaints that are solely a Personal Grievance

- Whistleblower disclosures
- Any conduct that occurred before your sports commencement date
- Any other policies that your sport has

To report any of the above, **contact your sport.**

NATIONAL INTEGRITY FRAMEWORK POLICIES

National Integrity Framework Policy

The <u>National Integrity Framework Policy</u> is the overarching policy of the National Integrity Framework (the Framework). This policy is designed to define the application of all the policies included in the Framework.

This includes:

- the purpose of the Framework
- definitions of terms used in the Framework's policies
- definitions of who the Framework applies to
- the scope of the Framework
- the responsibilities of National Sporting Organisations to manage the Framework
- the responsibilities of Relevant Organisations and Relevant Persons under the Framework
- Prohibited Conduct applying across all the Framework's policies.

Who does this Policy apply to?

The Policy applies to everyone involved in sport including participants, employees, contractors, coaches, officials, and support personnel, at all levels, from the national level through to club sport.

Prohibited Conduct

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The following actions and behaviours are breaches of the Policy:

- Failure to Report Prohibited Conduct under the Framework or one of its policies.
- Deliberately or willfully withholding information in relation to any possible Prohibited Conduct.
- Failure to provide further information or documentation as requested as part of a Complaint Process under the Framework.
- Failure to fully and in good faith participate in an interview as requested as part of a Complaint Process under the Framework.
- Knowingly providing inaccurate and/or misleading information during any proceedings under the Framework.
- Failing to comply with or enforce Disciplinary Measures imposed under the Complaints, Disputes and Discipline Policy.

The full definitions of Prohibited Conduct and child safe practices are accessible in the National Integrity Framework Policy, available at https://www.sportintegrity.gov.au/national-integrity-framework-policies.

What is the reporting process?

You should inform Sport Integrity Australia of potential Prohibited Conduct by submitting a Complaint or Report. This can be done by filling in the online form at <u>sportintegrity.gov.au/making-integrity-complaint-or-report</u>

What happens if someone commits a breach of this Policy?

Any alleged Prohibited Conduct that is reported will be dealt with under the Complaints Disputes and Discipline Policy. This could result in a Sanction ranging from a warning or mandatory education, to a ban from sport.



Child Safeguarding Policy

The <u>Child Safeguarding Policy</u> is designed to protect children in sport by putting in place rules and processes to ensure sporting environments are inclusive, positive and safe for all children, all the time.

The Policy includes:

- clear definitions of Prohibited Conduct
- a list of mandatory child-safe practices
- recruitment and screening requirements
- procedure outlining how to respond to child abuse allegations and report possible Prohibited Conduct
- a child safe commitment.

Who does this Policy apply to?

The Policy applies to everyone involved in sport including participants, employees, contractors, coaches, officials, and support personnel, at all levels, from the national level through to club sport.

Prohibited Conduct

The following actions and behaviours are breaches of the Policy:

- Child abuse including physical, emotional, psychological and sexual abuse, as well as neglect and exposure to family violence.
- Grooming.

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- Misconduct with a child including age inappropriate behaviour, or behaviour which places the child at risk of harm.
- Asking a child to keep any communication secret.
- Supplying alcohol or drugs (including tobacco) to a child
- Supplying medicines to a child, except where:
 - permitted by law or with the consent of the parent, guardien or carer of the child; and
 - under a valid prescription for that child; and
 - at the prescribed dosage
- Failing to comply with recruitment and screening requirements.
- Failing to report a breach of Prohibited Conduct.
- Breaching any of the child safe practices that cover actions such as photographing/filming children, travel arrangements, overnight stays, change room arrangements, electronic and online communications, discipline and physical contact, amongst others.

The full definitions of Prohibited Conduct are available in the Child Safeguarding Policy.

What is the reporting process?



What happens if someone commits a breach of this Policy?

Any alleged Prohibited Conduct that is reported will be dealt with under the Complaints Disputes and Discipline Policy. This could result in a Sanction ranging from a warning or mandatory education, to a ban from sport. Criminal conduct will be managed outside of this process by law enforcement.



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Competition Manipulation and Sports Wagering Policy

The <u>Competition Manipulation and Sports Wagering Policy</u> is designed to keep sport fair by protecting sporting competitions from competition manipulation (also known as match-fixing) and associated betting activity.

The Policy includes definitions of Prohibited Conduct regarding sports betting and competition manipulation, provides direction on how to report concerns, and sets obligations on National Sporting Organisations who have commercial arrangements with Wagering Service Providers.

Since the manipulation of a sporting competition may also be a criminal act, this Policy is also designed to protect all members of sport from misconduct captured under legislation.

Who does this Policy apply to?

The Policy applies to everyone involved in sport including participants, athletes, employees, contractors, coaches, officials, and support personnel, at all levels, from the national level through to club sport.

Prohibited Conduct

The following conduct is a breach of the Policy:

- Changing the result (or the course) of a sporting event in order to remove the unpredictable nature of the event for your own benefit, or the benefit of others. For example, deliberately losing the first half of a game to win a bet.
- Betting on any event in your sport, regardless of whether you are competing or participating in that specific event.
- Disclosing inside information which is not publicly available that could influence a person's decision to bet on the sporting event.
- Accepting a benefit (for example money, sponsorship, or gifts) that could lead to a breach of the Policy.
- Failing to promptly report any information in relation to competition manipulation, including approaches to fix an event, bribe offers, or blackmail threats.
- Being complicit in any Prohibited Conducts, including not reporting any reasonable suspicions about others.

The full definitions of Prohibited Conduct are available in the <u>Competition Manipulation and Sports</u> <u>Wagering Policy</u>.

What is the reporting process?

Activity that may be criminal or would constitute Prohibited Conduct under this Policy **must** be reported to the National Sporting Organisation's National Integrity Manager, and anyone else as required by law.

You should inform Sport Integrity Australia of potential Prohibited Conduct by submitting a Complaint or Report. This can be done by filling in the online form at <u>sportintegrity.gov.au/making-integrity-complaint-or-report</u>

What happens if someone commits a breach of this Policy?

Any alleged Prohibited Conduct that is reported will be dealt with under the Complaints Disputes and Discipline Policy. This could result in a Sanction ranging from a warning or mandatory education, to a ban from sport. Criminal conduct will be managed outside of this process by law enforcement.



Member Protection Policy

The <u>Member Protection Policy</u> is designed to protect the welfare, wellbeing, and health of everyone involved in sport. It provides clear definitions of abuse, bullying, harassment, sexual misconduct, discrimination, victimisation, and vilification in sport, along with information on how to report these behaviours.

Specifically, the Policy provides a framework to:

- promote a safe, trustworthy, and enjoyable environment at all levels, by protecting everyone in sport from discrimination, harassment, bullying and abuse
- protect the health, welfare, wellbeing, and safety of participants by ensuring everyone involved in sports is treated with respect and dignity
- ensure everyone in sport is aware of their legal and ethical rights and responsibilities, and the standards of expected behaviour
- protect the integrity of sport by reducing the risks of unacceptable behaviours.

Who does this Policy apply to?

The Policy applies to everyone involved in sport including participants, employees, contractors, coaches, officials and support personnel, at all levels, from the national level through to club sport.

The Policy only applies in relation to direct involvement in a sport activity or event. If an interaction has no clear link to a sporting event or activity, the Policy may not apply, and may be more appropriately dealt with under a different Policy, code of conduct or other sport rules.

Prohibited Conduct

The following actions and behaviours are breaches of the Policy:

- Abuse including physical, emotional, psychological or sexual abuse.
- **Bullying and the inappropriate use of power,** where actions are repeated and deliberate.
- Harassment including unwanted behaviours which are reasonably likely to cause harm.
- Sexual harassment and sexual offences.
- **Discrimination** either deliberate or inadvertent.
- Victimisation of anyone who chooses to make a complaint, or plans to.
- **Vilification of anyone based on a particular characteristic,** as covered by legislation.

Full definitions of these behaviours are available in the Member Protection Policy.

What is the reporting process?

All people involved in sport **must** report conduct that may be considered Prohibited Conduct under this Policy to Sport Integrity Australia.

You can do so by submitting a Complaint or Report via the online form at <u>sportintegrity.gov.au/making-integrity-complaint-or-report</u>

What happens if someone commits a breach of this Policy?

Any alleged Prohibited Conduct that is reported will be dealt with under the Complaints Disputes and Discipline Policy. This could result in a Sanction ranging from a warning or mandatory education, to a ban from sport. Criminal conduct will be managed outside of this process by law enforcement.



Improper Use of Drugs and Medicines Policy

The <u>Improper Use of Drugs and Medicines Policy</u> is designed to protect athletes from harm caused by the improper use of medicines, supplements and illegal drugs.

Specifically, the Policy provides a framework to:

- address and deter the use and distribution of illegal drugs in sport
- ensure that only appropriately qualified people provide science and medicine services to athletes
- ensure that medications and injections are only given to athletes as part of appropriate medical treatment
- ensure that supplements are used and distributed safely in sport with a focus on evidence-based use.

Who does this Policy apply to?

The supplement, medicine and injection components of this Policy apply only to Relevant Athletes and Relevant Personnel. This group is determined by each sport but should include International and National level athletes and the personnel around them at least.

The illegal drug component of this Policy applies to all members of your sport, including athletes, coaches, employees, medical practitioners, officials, sports science and sports medicine personnel, support personnel, and relevant sporting organisations.

Prohibited Conduct

The following actions and behaviours are breaches of the Policy:

- Unauthorised injection or possession of injection equipment.
- The supply of non-compliant supplements to a Relevant Athlete.
- A criminal conviction relating to or involving an illegal drug.
- Illegal use of prescription or over the counter medication.
- Being implicated or complicit in any Prohibited Conduct.
- Failure to report a breach of policy.

Full definitions of these behaviours are available in the Improper Use of Drugs and Medicines Policy.

What is the reporting process?

All people involved in sport **must** report conduct that may be considered Prohibited Conduct under this Policy to Sport Integrity Australia.

You can do so by submitting a Complaint or Report via the online form at <u>sportintegrity.gov.au/making-integrity-complaint-or-report</u>

You should also report information to any other entity as required by law.



What happens if someone commits a breach of this Policy?

Any alleged Prohibited Conduct that is reported will be dealt with under the Complaints Disputes and Discipline Policy. This could result in a Sanction ranging from a warning or mandatory education, to a ban from sport. Criminal conduct will be managed outside of this process by law enforcement.



Complaints, Disputes and Discipline Policy

This Policy provides sport and its participants with an independent and impartial complaint management process run by Sport Integrity Australia.

This means when someone wants to make a formal Complaint about allegations of Prohibited Conduct, it will be Evaluated and Assessed independently by Sport Integrity Australia. This removes any risk of a conflict of interest or perceptions of bias.

The <u>Complaints, Disputes and Discipline Policy</u> sets out the process for how Complaints will be managed by Sport Integrity Australia, including how disputes will be Finalised and Sanctions imposed.

What issues will Sport Integrity Australia manage?

Under the Policy, Sport Integrity Australia will look into any issue defined as 'Prohibited Conduct' within these policies:

- Child Safeguarding Policy
- Member Protection Policy
- Competition Manipulation and Sport Wagering Policy
- Improper Use of Drugs and Medicine Policy
- National Integrity Framework.

What issues will Sport Integrity Australia not manage?

Sport Integrity Australia will not manage Complaints in relation to eligibility and selection, employment matters, competition-related rules, personal grievances, code of conduct or governance matters. These will be managed by the sport.

In addition, this Policy is forward-looking and puts in place a new process to protect the future of Australian sport. As such, Sport Integrity Australia is only authorised to handle Complaints about things that happened after the date a sport adopts the Complaints, Disputes and Discipline Policy.

Poor conduct which occurred before this date should be reported to your National Sporting Organisation, as Sport Integrity Australia is not authorised to begin a disciplinary process against a person or organisation prior to the Policy coming into effect.

Participants can report historical issues to Sport Integrity Australia if they choose. This information can then be used in ways other than a formal Complaint Process, to make sure similar behaviour doesn't reoccur in future – for example, to help build education and intervention programs. Sport Integrity Australia can also pass the information to someone else who may be able to take action if appropriate (for example, police or a child protection agency). Wellbeing support will be offered throughout this process.

What is the Complaint Process?

Complaints regarding Prohibited Conduct should be made to Sport Integrity Australia **as soon as reasonably possible**.

Complaints must be made online at sportintegrity.gov.au/making-integrity-complaint-or-report

Once a Complaint is received, Sport Integrity Australia will assess it to determine whether it is within the scope outlined on the previous page. A Complaint may be referred for mediation between the parties involved, if appropriate. Alternatively, Sport Integrity Australia will Assess the Complaint as required, which includes advising the person accused of wrongdoing (the Respondent), so they have an opportunity to respond, contacting any witnesses, and seeking other evidence. Sport Integrity Australia will offer all participants access to wellbeing services through this process.

If there is not enough evidence to Substantiate the allegation, the matter will end and all parties will be notified. If Sport Integrity Australia believes the alleged conduct is more likely to have occurred than not, they will issue a Breach Notice, including a Sanction, to the Respondent.

There will be an opportunity for the Respondent to dispute the Breach Notice and any Sanction at a Hearing Tribunal. run by either the sport or the National Sports Tribunal.

Sport Integrity Australia may also refer matters to an external organisation such as to law enforcement or a child protection agency if required.

Find out more

For more information on the National Integrity Framework, and the Complaints, Disputes, and Discipline Policy, visit <u>sportintegrity.gov.au/making-integrity-complaint-or-report</u>



PROHIBITED CONDUCT

Prohibited Conduct is the behaviour that would breach one of the National Integrity Framework policies. If you experience or witness Prohibited Conduct you can make a Complaint, and the person responsible can be held accountable for their actions. Similarly, if you commit Prohibited Conduct, you may be Sanctioned.

Below are examples of Prohibited Conduct taken from the National Integrity Framework for ease of reference, however this information should not be read in isolation. Always consult the <u>Framework</u> for exact detail around Prohibited Conduct.

National Integrity Framework Prohibited Conduct

- **Failing to report any Prohibited Conduct** under the Framework or one of its policies.
- **Deliberately or willfully withholding information** in relation to any possible Prohibited Conduct.
- Failing to provide further information or documentation as requested as part of a complaint process under the Framework, including a failure to fully and in good faith participate in an interview.
- Knowingly provide any inaccurate and/or misleading information during any investigation or proceedings under the Framework.
- Failing to comply with or enforce Disciplinary Measures imposed under the Complaints, Disputes and Discipline Policy.

Child Safeguarding Prohibited Conduct

- Child abuse—includes physical abuse, emotional or psychological abuse, sexual abuse, neglect, exposure to family violence.
- Grooming—refers to the process by which an adult establishes a trusting relationship with a child and those associated with the child's care and wellbeing, to create an environment in which abuse can occur.
- Misconduct with a child—means any behaviour involving a child that is objectively age inappropriate and/or places the child at risk of harm.
- Requesting a child keep any communication secret from their parents or guardian.
- Supplying alcohol or drugs to a child.
- Supplying medicines to a child except with the consent of the parent or guardian, under a valid prescription and at the prescribed dosage.
- Failing to comply with the child safe practices and recruitment and screening requirements, as outlined in the policy (see Annexure B and C of the Child Safeguarding Policy).
- Failing to report any concerns or allegations of Prohibited Conduct, including failure to comply with mandatory reporting requirements.
- Committing any act that would constitute Prohibited Conduct under the Member Protection Policy.

Competition Manipulation and Sports Wagering Prohibited Conduct

- Improperly altering the result or the course of an Activity (Competition) in order to remove all or part of the unpredictable nature of the Activity to obtain a benefit for themselves or others. This could be by:
 - Direct, pre-meditated or planned interference with the natural course of an Activity or element of an Activity.
 - Modifying playing surfaces, equipment or athlete's physiology.
 - Providing modified or false information related to an athlete's identity or personal information.
- Betting, or entering any other form of financial speculation on an Activity.
- Disclosure of Inside Information.
- Facilitate, assist, aid, abet, encourage, induce, cover-up or be complicit in any Prohibited Conduct.
- Failure to comply with reporting and disclosure obligations under the policy.

Member Protection Prohibited Conduct

Abuse

Abuse must be behaviour of a nature and level of seriousness which includes, but is not limited to:

- **physical abuse and assault** including hitting, slapping, punching, kicking, destroying property, sleep, and food deprivation, forced feeding, unreasonable physical restraint, spitting at another person or biting
- sexual abuse including rape and assault, using sexually degrading insults, forced sex or sexual acts, deliberately causing pain during sex, unwanted touching or exposure to pornography, sexual jokes, using sex to coerce compliance
- emotional abuse such as repeated and intentional embarrassment in public, preventing or excluding someone from participating in sport activities, stalking, humiliation, or intimidation
- verbal abuse such as repeated or severe insults, name calling, criticism, swearing and humiliation, attacks on someone's intelligence, body shaming, or aggressive yelling
- financial abuse such as restricting access to bank accounts, taking control of finances and money, forbidding someone from working, taking someone's pay and not allowing them to access it
- neglect of a person's needs.

Bullying

Bullying must be behaviour of a nature and level of seriousness which includes, but is not limited to, repeatedly:

- **keeping someone out of a group** (online or offline)
- acting in an unpleasant way near or towards someone
- giving nasty looks, making rude gestures, calling names, being rude and impolite, constantly negative and teasing
- spreading rumours or lies, or misrepresenting someone (i.e. using their social media account to post messages as if it were them)
- 'fooling around', 'messing about' or other random or supposedly playful conduct that goes too far
- harassing someone based on their race, sex, religion, gender, or a disability
- intentionally and repeatedly hurting someone physically
- intentionally stalking someone, and
- taking advantage of any power over someone else,

but does not include legitimate and reasonable:

- management action
- management processes
- disciplinary action, or
- allocation of activities in compliance with agreed systems.

Harassment

Harassment must be behaviour of a nature and level of seriousness which includes, but is not limited to:

- telling insulting jokes about racial groups
- sending explicit or sexually suggestive emails or text messages
- displaying racially offensive or pornographic images or screen savers
- making derogatory comments or taunts about someone's race
- asking intrusive questions about someone's personal life, including his or her sex life
- sexual harassment or any of the above conduct in the workplace by employers, co-workers, and other workplace participants
- any of the above conduct in the workplace, based on or linked to a person's disability or the disability of an associate, and
- offensive behaviour based on race or racial hatred, such as something done in public that offends, insults, or humiliates a person or group of people because of their race, colour or nationality or ethnicity.

Sexual misconduct

Sexual Misconduct is behaviour including, but not limited to:

- unwelcome touching
- staring or leering
- suggestive comments or jokes
- showing or sharing sexually explicit images or pictures
- unwanted invitations to go out on dates
- requests for sex
- intrusive questions about a person's private life or body
- unnecessary familiarity, such as deliberately brushing up against a person
- insults or taunts based on sex
- sexually explicit physical contact
- sending sexually explicit or suggestive emails, texts, or other electronic/social media messages
- displaying pornographic images or screen savers
- asking intrusive questions about someone's personal life, including about his or her sex life, and
- criminal offences such as rape, indecent or sexual assault, sexual penetration, or relationship with a child under the age of 16 and possession of child pornography.

Unlawful Discrimination

Unlawful Discrimination is unfair treatment based on a person's:

- age
- disability
- race, colour, nationality, ethnicity, or migrant status
- sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, and
- sexual orientation, gender identity or intersex status.

Victimisation

Victimisation is behaviour including, but not limited to:

- dismissal of an employee/volunteer or disadvantage to their employment/involvement in sport
- alteration of an employee's position or duties to his or her disadvantage
- discrimination between an employee and other employees
- repeated failure to select an individual on merit
- a reduction in future contract value, and
- removal of coaching and other financial and non-financial support.

Vilification

Vilification is behaviour including, but not limited to:

- speaking about a person's race or religion in a way that could make other people dislike, hate, or ridicule them
- publishing claims that a racial or religious group is involved in serious crimes without any evidence in support
- repeated and serious verbal or physical abuse about the race or religion of another person
- encouraging violence against people who belong to a particular race or religion, or damaging their property, and
- encouraging people to hate a racial or religious group using flyers, stickers, posters, a speech, or publication, or using websites or email.

Improper Use of Drugs and Medicines Prohibited Conduct

- A criminal conviction relating to or involving an illegal drug.
- Use of prescription or over the counter medication in an unlawful manner.
- Unauthorised injection or possession of hypodermic needles or other injection equipment.
- Supplying or providing non-compliant supplements to a relevant athlete, as defined under the policy.
- Facilitating, assisting, aiding, abetting, encouraging, inducing, covering-up or being complicit in any Prohibited Conduct.
- Failing to comply with reporting obligations under the policy.



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