



CODE OF CONDUCT

SPORTING CLAYS AUSTRALIA Assoc

8th November 2015

Codes of Conduct and Disciplinary Procedures By-Law

In accordance with Rule 9 of the Constitution-Registered Rules of the Sporting Clay Australia Assoc ("SCA") this By-Law is adopted by the Board.

The Codes of Conduct and Disciplinary Procedures By-Law are divided into two parts:

1. Establishes general and specific standards of behaviour expected of Members of SCA. In addition to the General Code of Conduct, SCA Members and other persons associated to SCA through their respective State Bodies as members are also required to comply with the specific Codes of Conduct, as are appropriate.
2. Sets out the procedure for dealing with disciplinary actions against Members, breaches of the Codes of Conduct and other matters under the Rules of SCA.

1. Establishment General and Specific Standards

1.1. General Code of Conduct

Members, administrators, officials, competitors, spectators, service providers, employees, volunteers and anyone other person associated with any activity or event held by or sanctioned by SCA must:

- 1.1.1. Not discriminate against, abuse, harass, ridicule or embarrass anyone covered by this Code of Conduct or otherwise associated with an SCA activity or event;
- 1.1.2. Be fair, considerate and honest in all dealings with others;
- 1.1.3. Treat all persons with respect, dignity and have proper regards for their rights and obligations;
- 1.1.4. Respect the privacy of other persons;
- 1.1.5. Act at all times in a fair and sporting manner and in such a way as to ensure good relations within and between participants and other organisations;
- 1.1.6. Not engage in deliberate distraction or interruption of the competitors during competition;
- 1.1.7. Refrain from any form of intimidation or victimisation towards others;
- 1.1.8. Ensure that any junior competitors are accompanied and/or observed during sporting and associated activities;
- 1.1.9. Conduct themselves in a proper manner to the satisfaction of SCA and its delegates, so as not to bring themselves, SCA or the sport of shooting into public disrepute or censure;
- 1.1.10. Not use involvement with the SCA to promote individual beliefs or practices where these are inconsistent with the SCA or the sport of shooting;
- 1.1.11. Not disclose to any unauthorised person or organisation information that is of a confidential or privileged nature concerning the SCA, a team or an individual connected with the SCA.
- 1.1.12. Not promote, pass on, exchange or publish information where that information may be of a confidential, offensive, scandalous, unsubstantiated or derisive nature;
- 1.1.13. Understand the possible consequences of breaching the SCA Code of Conduct; and
- 1.1.14. Immediately report any breaches of the SCA Codes of Conduct to the SCA Board or Executive Officer.

1.2. Administrators' Code of Conduct

- 1.2.1. The SCA administrators (both volunteers and professionals) must:
- 1.2.2. Aim to provide and promote an environment free from abuse, discrimination and harassment in relation to employment, functions, events, competitions, membership eligibility and provision of goods and services;
- 1.2.3. Distribute and implement this By-Law and promote the use of the disciplinary procedure;
- 1.2.4. Take all reasonable steps to prevent abuse, discrimination and harassment and ensure that this position is widely known through all levels of SCA activities;
- 1.2.5. Identify and implement appropriate procedures to handle abuse, discrimination, harassment and other complaints;
- 1.2.6. Respond to complaints in an impartial, sensitive, fair, timely and confidential manner;
- 1.2.7. Provide all people with an equal opportunity to participate;
- 1.2.8. Ensure that rules, equipment and length of competition are safe and are modified to suit age, ability and maturity level of competitors;
- 1.2.9. Ensure that it is made clear that abuse of any form is unacceptable and will result in disciplinary action; and
- 1.2.10. Set an example of appropriate, positive and supportive behaviour towards all members of the SCA.

1.3. Competitors' Code of Conduct

- 1.3.1. The SCA competitors must:
- 1.3.2. Act in a sporting manner, having regard to principles of fairness and common courtesy, at all times;
- 1.3.3. Control their temper. Verbal abuse of officials, sledging of other competitors, deliberately distracting or provoking other competitors are not acceptable or permitted behaviours;
- 1.3.4. Respect the rights, dignity and worth of all participants regardless of their ability, gender or cultural background;
- 1.3.5. Refrain from making bullying, derogatory or demeaning remarks about other people;
- 1.3.6. Treat all other competitors as they would like to be treated;
- 1.3.7. Not discriminate against, abuse or harass anyone else;
- 1.3.8. Never argue with an official;
- 1.3.9. Abide by the rules of competition as determined by the SCA or its delegate; and
- 1.3.10. Respond to Members' concerns or allegations of breaches of this By-Law.

1.4. Officials' Code of Conduct

Officials (both volunteers and professionals) of SCA activities and competitions must:

- 1.4.1. Be consistent, unbiased, objective and courteous when making decisions
- 1.4.2. Condemn unsporting behaviour and promote respect for all competitors

- 1.4.3. Keep up to date with the latest available resources and information in relation to the sport of shooting;
- 1.4.4. Treat all participants with respect at all times
- 1.4.5. Avoid situations that may lead to a conflict of interest;

2. The Establishment of Disciplinary Committee

The Board shall establish a Disciplinary Committee as required to deal with all disciplinary actions against Members, breaches of the Codes of Conduct and other matters under these Registered Rules

2.1. Composition of Disciplinary Committee:

- 2.1.1. The Board shall appoint a Disciplinary Committee Panel comprising Five (5) people for the purpose of hearing disciplinary actions and other matters under these Registered Rules. Three (3) members of the Disciplinary Committee Panel should constitute a quorum for the Disciplinary Committee. The Disciplinary Committee shall also appoint or elect a member of the Disciplinary Committee to act as the Chairperson of the Disciplinary Committee Panel and for the Disciplinary Committee for each hearing.
- 2.1.2. The Disciplinary Committee must and shall include one (1) appointed Board member.
- 2.1.3. A person who has been directly involved in or affected by the matter in dispute, or where a conflict of interest would otherwise arise, shall not be eligible to be a member of the Disciplinary Committee which hears the matter in dispute

2.2. Notice of Alleged Breach

- 2.2.1. Where the Board is advised or considers that a Member of the SCA has allegedly:
 - 2.2.1.1. Breached, failed, refused or neglected to comply with a provision of the SCA Constitution, this Code of Conduct or any resolution or determination of the Board or any other duly authorised committee;
 - 2.2.1.2. Breached the Code of Conduct
 - 2.2.1.3. Acted in a manner unbecoming of a Member or prejudicial to the objects and interests of SCA and/or the sport of shooting; or
 - 2.2.1.4. Brought the SCA and/or the sport of shooting into disrepute;
- 2.2.2. The Secretary shall, as soon as practicable following the appointment of a Disciplinary Committee, serve on the Member a notice in writing:
 - 2.2.2.1. Setting out the specific details alleged breach by the Member;
 - 2.2.2.2. Setting out the facts and grounds on which the alleged breach is based;
 - 2.2.2.3. Stating that the Member may address the Disciplinary Committee at a hearing to be held not later than 28 days after service of the notice;
 - 2.2.2.4. Stating the date, place and time of that hearing; the hearing may be held at any other time that the Secretary, Chairperson of the Disciplinary Committee and the Member agree.
 - 2.2.2.5. Informing the Member that he or she may do one or more of the following:
 - 2.2.2.5.1. Attend the hearing;
 - 2.2.2.5.2. Give the Disciplinary Committee, before the date of that hearing, a written statement regarding the alleged breach.
 - 2.2.2.5.3. Informing the member that if they do not attend the hearing and/or provide a written statement prior to the hearing, the hearing will proceed and the matter will be determined in their absence.

2.3. Disciplinary Hearing Procedures

- 2.3.1. At a hearing of the Disciplinary Committee, the Disciplinary Committee shall:
 - 2.3.1.1. Give the Member every opportunity to be heard;
 - 2.3.1.2. Give other aggrieved parties and any witnesses the right to be heard, present evidence or submit a written statement;
 - 2.3.1.3. Give due consideration to any written statement submitted by the Member; and
 - 2.3.1.4. By majority resolution determine whether the alleged breach occurred.
- 2.3.2. Neither the SCA nor the Member shall be entitled to any legal representation (legal or otherwise) but with the leave of the Disciplinary Committee may be represented by another at the hearing, but if the hearing relates to an alleged breach by a Junior Member then the Junior Member shall be entitled to be represented by his or her parent or guardian but the Junior Member must be present.
- 2.3.3. The Disciplinary Committee shall hear and determine the alleged breach in whatever manner it considers appropriate in the circumstances (including by way of teleconference, video conference or otherwise) and shall determine what evidence shall be admissible at the hearing, provided that it does so in accordance with the principles of natural justice.
- 2.3.4. Disciplinary Committee will make its decision immediately following the conclusion of the hearing if possible, but otherwise it shall deliver its decision and reasons to the Member and the Board within fourteen (14) days of the hearing.
- 2.3.5. If the Disciplinary Committee considers that the alleged breach did not occur, the matter shall be dismissed.
- 2.3.6. If the Disciplinary Committee considers that the alleged breach occurred, it may impose any one or more of the penalties as set out in the SCA Constitution & this Code of Conduct.
- 2.3.7. Each party shall be responsible for their own costs associated with the Disciplinary Committee hearing. The Disciplinary Committee has the discretion to make an order to reimburse costs to a party.

2.4. Penalties:

- 2.4.1. If the Disciplinary Committee considers that the alleged breach occurred, the Disciplinary Committee may impose any one or more of the following penalties:
 - 2.4.1.1. Impose a warning;
 - 2.4.1.2. Reprimand the member;
 - 2.4.1.3. Direct the member to make verbal or written apology;
 - 2.4.1.4. Direct a member to reimburse costs to the Association of the hearing cost
 - 2.4.1.5. Where there has been damaged to property, direct that the member pay compensation to the relevant person or organization that controls or has possession of the damaged property;
 - 2.4.1.6. Withdrawal of any awards, placing, records, or achievements bestowed upon the member in any competition, activity or event held by the association.
 - 2.4.1.7. Direct that any funding granted or given to the Member by SCA cease from a specified date;
 - 2.4.1.8. Direct that any rights, privileges and benefits provided to that Member by SCA be suspended for a specified period and/or terminated;
 - 2.4.1.9. Direct that SCA cease to sanction events held by or under the auspices of that Member;
 - 2.4.1.10. Suspend the Member from membership of SCA for a specified period;
 - 2.4.1.11. Expel the Member from SCA and
 - 2.4.1.12. Any other penalty that the Disciplinary Committee considers appropriate.

2.5. Right of Appeal from Decision of Disciplinary Committee

- 2.5.1. The Association or member may only appeal against a decision of the disciplinary committee on one or more to the following grounds of appeal:
- 2.5.1.1. Significant new or additional evidence has become available;
 - 2.5.1.2. The penalty imposed by the Disciplinary Committee is not in accordance with the provisions of the SCA Constitution & this Code of Conduct;
 - 2.5.1.3. The penalty imposed by the Disciplinary Committee is manifestly excessive; or
 - 2.5.1.4. The Disciplinary Committee failed to substantially follow the procedures or requirements of the SCA Constitution & this Code of Conduct and this failure caused a significant detriment to the party seeking the appeal.

2.6. Notice of Appeal

- 2.6.1. A person seeking to appeal a decision of the Disciplinary Committee ("the Appellant") must lodge a notice stating full details of the grounds of appeal ("the Notice of Appeal") with the Secretary of the SCA within seven (7) days receiving notice of the decision of the Disciplinary Committee.

2.7. Appeals Tribunal

- 2.7.1. Upon receipt of a valid Notice of Appeal, the Board shall convene an Appeals Tribunal to hear and determine the appeal in accordance with the SCA Constitution & this Code of Conduct.
- 2.7.2. The Appellant shall be notified within seven (7) days of receipt of the Notice of Appeal of the time, date and place of the appeal hearing.
- 2.7.3. The Appeals Tribunal shall consist of three (3) people appointed by the Board to hear the appeal. The Board shall also appoint a member of the appeals tribunal as the Chairperson. Three (3) members of the Appeals Tribunal shall constitute a quorum
- 2.7.4. No member of the Board shall be appointed to the Appeals Tribunal, but if there is a vacancy on the Appeals Tribunal at the time of the hearing then this position may be filled by a member of the Board.
- 2.7.5. A person that has been directly involved in or affected by the matter in dispute or who was a member of the Disciplinary Committee that originally decided the matter or where a conflict of interest would otherwise arise, shall not be eligible to be a member of the Appeals Tribunal.

2.8. Appeals Tribunal Procedures

- 2.8.1. The Appeals Tribunal and persons appearing before it are bound by the same procedures under SCA Constitution as if the Appeals Tribunal was a Disciplinary Committee hearing a matter at first instance.
- 2.8.2. The Secretary shall forward records of the Disciplinary Committee hearing in which the matter the subject of the appeal was heard at first instance to the Chairperson of the Appeals Tribunal.
- 2.8.3. The appeal hearing shall be a full re-hearing of the facts and circumstances of the matter.
- 2.8.4. The Appeals Tribunal may request further information prior to determining the appeal and it has discretion as to whether or not new evidence may be allowed.
- 2.8.5. An Appeals Tribunal shall have the power, in such manner as it thinks fit, to:
- 2.8.5.1. Dismiss the appeal;
 - 2.8.5.2. Uphold the appeal;
 - 2.8.5.3. Impose any of the penalties set out in the SCA Constitution and/or
 - 2.8.5.4. Reduce, increase or otherwise vary any penalty imposed by the Disciplinary Committee.

2.8.6. Within 7 days of the conclusion of the appeal hearing, the Chairperson of the Appeals Tribunal shall ensure that the Appellant and the President are notified of the decision of the Appeals Tribunal.

2.8.7. The Appeals Tribunal shall not be required to provide reasons for its decision.

2.8.8. Each party to an appeal shall be responsible for their own costs. The Appeal Tribunal has the discretion to make an order to reimburse costs to a party.

2.9. Single Right of Appeal

2.9.1. There is only one right of appeal following the decision of the Disciplinary Committee hearing, which right is provided as set out in this Code of Conduct.

2.9.2. Appeals Tribunal must solely and exclusively resolve any appeal

2.9.3. And the decision of the Appeals Tribunal is final and binding on the parties.

2.10. Exhaust Internal Appeal

2.10.1. A Member must exercise the right of appeal under this Code of Conduct and have any appeal heard and determined by the Appeals Tribunal before commencing any proceedings or becoming a party to any proceedings in a court of law.

3.0. Cyber Bullying & Social Media

A Member body or Individual member of a body to SCA

3.0.1. Must not post onto social media, use or otherwise, the official logo of the SCA or of a Member body without written permission.

3.0.2. Must not use social media to post or make comment, to bully, harass, denigrate, insult, or make false witness regarding SCA, any member body or Individual member to that member body

3.0.3. Must not use social media to post or make comments/speculation on rumours or facts that in doing so, cause the SCA, member body or Individual members to that body, distress or anxiety

3.0.4. Must never use provocation, offensive, derisive, racial attacks or offensive language to express themselves on social media in regards to the SCA, a member body or Individual members to that body.

3.0.5. Must not post onto social media, photograph/prints of Individual members to SCA or the Member bodies, without their written permission.

3.0.6. Must not post onto social media details or comments regarding decisions taken/made by the SCA, Member bodies, or Individual members to SCA, at meetings or competitions.