

## **BY LAW**

### **NO. 13**

**ISSUE:** Code of Conduct

**COMMENCED:** 14/2/2013

**LAST UPDATED:** 8/8/2019

#### **PROVISIONS:**

All members are expected to –

1. Respect the rights, dignity and privileges of others and pay particular regard to the on-going safety and wellbeing of children and young people under the age of 18.
2. Be fair, equitable, considerate and honest in all dealings with others and refrain from doing anything which amounts to abuse, intimidation, harassment or bullying of other people, including when using any electronic communication or social media.
3. Meet all requirements and fulfil all commitments in accordance with the Club constitution, By-Laws and policies, including any club Values statement, and the rules, regulations and policies of SLSA, SLSNSW & SLSSNB.
4. Act at all times in a way that preserves and protects the standing and reputation of the Club and the lifesaving movement in general, including when using any electronic communication or social media.
5. Use the Club facilities and equipment for their proper purposes and care for and maintain such facilities and equipment correctly.
6. Be professional in, and accept responsibility for, their actions and make a commitment to providing quality service.
7. Be aware of their responsibility to take reasonable care for their own health and safety, not act in a way that impinges on the health and safety of members or other people and report to club management any work, health and safety issues of which they become aware.
8. Be familiar with relevant SLSA policies relating to member protection and codes of conduct.

*[Note – refer to list of relevant policies at end of this by-law]*

### **Specific provisions relating to lifesaving services**

9. Patrol captains are expected to be familiar with the NSW Standard Operating Procedures & the SLS NSW Lifesaving Services Agreement, ensure rostered patrols are conducted in accordance with those procedures and agreement and ensure the general public is at all times treated with respect.
10. Patrol members are expected to conduct themselves at all times in a courteous and respectful manner towards members of the general public.
11. Patrol members are required to comply with all reasonable directions of the Director Lifesaving, Patrol Captain or other delegated club officer in relation to the conduct and operation of patrols.

### **Specific provisions relating to surf sports competition**

12. All members who represent the Club in surf sports competition are expected to compete in club coloured costumes unless otherwise exempted by the Director Sport or Age Manager.  
*[Note – Clause 4 of the Constitution indicates the club costume shall be maroon and white or maroon.]*
13. If selected to represent the Club in a team event, members must not withdraw from the team event in order to save themselves for an individual event unless otherwise exempted by the Director Sport, Section Captain, Team Coach or Age Manager.
14. Competitors in age groups U15 and above representing the club at surf sports events are expected, where practicable, to provide all reasonable assistance to tour managers, area managers and section captains in relation to the packing, unpacking, movement and setting up of Club gear and equipment to be used at the event.
15. Competitors representing the club at State and Australian Surf Championships are expected, unless impracticable or otherwise exempted by the designated tour manager (or in the case of junior activities competition, relevant age managers and officials), to attend all club meetings arranged by the tour manager.
16. If members of a specific competition section compete in a surf sports event and no formally authorised team manager is appointed, it is the responsibility of the section captain to nominate someone to undertake the role of team manager.
17. All team managers (which includes where appropriate tour managers, area managers, section captains and Age Managers) are to ensure reasonable steps are taken for the overall safety and wellbeing of team members. They are expected to be a role model for the team members, be familiar with this Code of Conduct and are accountable for the management of the team.

18. Any member wishing to compete for the club must comply with their patrol obligations as determined by the Director Lifesaving. These obligations include –
- Attending rostered patrols on an on-going basis unless exempted or arranging for a substitute
  - Reciprocating for any substitute patrols undertaken on their behalf in a timely manner
  - Complying with any requirement to undertake make-up or penalty patrols without undue delay from the date the obligation first arises

For the avoidance of doubt, members who do not attend their rostered patrols on an on-going basis and undertake multiple voluntary patrols in order to make up their competition hours will not be considered to have met their patrol obligations.

19. When undertaking overnight stays at training camps, carnivals and other club authorised events which involve members under the age of 18
- Parents must be advised of the details of the activity including destination, supervision responsibilities and sleeping arrangements;
  - Consent from the parents must be obtained;
  - Activity organisers or tour managers must ensure appropriate levels of supervision are in place [Note General rule is a minimum of 2 adults with a ration of 1:8]
  - As far as practicable, children sharing a room should be the same sex and age and have an accompanying adult present
20. Members who have transferred, or who may wish to transfer, to the club for competition purposes shall not be offered any inducements other than those which are ordinarily available for existing club members.

### **Specific provisions relating to surf sports & award training**

21. All members engaged in authorised club water activities & award training must wear high viz fluoro coloured tops. Members who fail to do so will not be considered part of the authorised activity or training and which may lead to a loss of insurance cover.

### **Specific provisions relating to the consumption of alcohol**

22. (a) When consuming alcohol, members must do so in way that maintains an appropriate level of responsibility and in a manner which will not impinge on the standing and reputation of the Club or the lifesaving movement in general.
- (b) Alcohol must not be provided to anyone under the age of 18 at any club authorised event.

## **Specific provisions relating to child protection**

23. These provisions apply to all members, employees, parents, volunteers and contracted coaches who undertake or assist in club related activities with members under the age of 18.
24. The club recognises that members under the age of 18 warrant special consideration to ensure their on-going safety and well being at all times, especially while engaged in club approved activities. The safety and well being of members under the age of 18 must be a paramount consideration. There must be 2 adults present at all training sessions involving members under the age of 18.
25. The club will not sanction any privately arranged one on one training sessions conducted at the club involving members under the age of 18.
26. If any person to whom this policy applies has reasonable grounds to suspect that any member under the age of 18 has been subject to sexual misconduct or ill-treatment, they must immediately report that matter to a designated club officer.
27. For the purposes of these provisions –
  - Sexual misconduct includes sexual assault, indecent assault, sexual relations with a child under the age of 16, inappropriate conversations of a sexual nature, exposing a child to pornography or indecent exposure.
  - Ill-treatment includes physical assault, inappropriate or offensive language directed to a child, behaviour that is likely to cause psychological harm to a child or neglect.
28. For the purposes of these provisions, “designated club officer” includes –
  - The President
  - The Executive Officer
  - The Club Captain
  - The Chairperson Junior Activities
  - Member protection information officer
  - Club Chaplain or Deputy Chaplain
29. On receipt of a report, the designated officer must ensure the matter is brought to the attention of the President or Executive Officer as soon as practicable and that a record of the circumstances giving rise to the report is made and provided to the President or Executive Officer.
30. Depending on the nature of the report received, the President or Executive Officer may, in consultation with the person making the report, do any or all of the following –
  - Contact Surf Life Saving NSW for further advice and assistance
  - Report the matter to the Department of Community Services

- Report the matter to the police
  - Seek further advice from, and or take further action as may be recommended by, Surf Life Saving NSW, the Department of Community Services or the police including any action considered necessary to address any on-going member safety and well being issues.
31. While it may be appropriate in some circumstances for the President or Executive Officer to make further inquiries to clarify the circumstances giving rise to the report, those inquiries should be kept to a bare minimum. In depth investigation of the circumstances must be avoided unless otherwise supported by SLSNSW, the Department of Community Services or the police.
32. If a member is charged with a serious criminal offence as defined by SLISA, the member may be stood down from all official positions and may be suspended from the club pending resolution of the matter. If a member is found guilty of a serious criminal offence he or she may be expelled from the club.

### **Disciplinary powers of Executive Committee**

33. For the purposes of clause 26 of the Constitution, “breach of discipline” means an allegation against a member which in the opinion of the Executive Committee, is serious in nature and is best dealt with by referral to the Judiciary Panel for further action.
34. In matters involving an alleged breach of discipline or club rules which the Executive Committee considers not serious enough for referral to the Judiciary Panel, the allegation can be dealt with by –
- a duly authorised member or members of the Executive Committee, or
  - the Executive Committee.
35. Subject to clause 35, if an alleged breach of discipline or club rules dealt with under clause 33 is substantiated, the sanctions which may be imposed include but are not limited to reprimand, penalty patrols, undertaking voluntary work relating to Club activities, loss of privileges (e.g. access to gym, access to change rooms, opportunity to compete for the Club), payment of restitution for properly damages, destroyed or stolen, removal from office or position or suspension.
36. A member cannot be suspended for more than one month or subject to an expulsion from the club unless the alleged breach of discipline giving rise to the suspension or expulsion has been dealt with by the Judiciary Panel.
37. Provided a member dealt with under clause 33 is provided with an opportunity to be heard in respect of any allegation, the matter can be dealt with in such manner as the duly authorised member of the Executive Committee or the Executive Committee sees fit.

38. A member may seek a review by the Executive Committee of any decision made by a duly authorised member or members of the Executive Committee.
39. If at any stage when dealing with a matter under clause 33, it is considered the alleged breach of discipline is serious in nature, the matter may be referred to the Club Judiciary Panel for further action.

Note: For the definition of “serious criminal offence” refer to SLSA policy 6.16 – Dealing with Police Investigations, Criminal Charges, Guilty Pleas and or Convictions.

SLSA Policies relating to member protection and codes of conduct -

1.01 Water Safety  
1.02 Use of SLSA Equipment  
1.05 Patrol Uniforms  
5.02 Anti-Doping Policy  
5.04 Proficiency and Patrol Hour Requirements – Competition Eligibility  
5.11 Match Fixing Policy  
6.16 Criminal Convictions Policy  
6.20 Use of Social Media  
6.23 Illicit Drugs in Sport  
6.05 Member Protection Policy  
SLSA Safeguarding Children and Young People Guideline

## **HISTORY OF AMENDMENTS APPROVED BY EXECUTIVE COMMITTEE**

### **12 Sep 2013**

CI 17 amended to clarify role of tour managers and other supervisors’s duty of care responsibilities; New CI 18 inserted re wearing of flouro vests during training activities; CI 21 amended to clarify supervision requirements for under 18 training sessions,; new CI 22 inserted re privately organised training sessions; New CI 29 inserted to reflect SLSA policy re members charged with serious criminal offences; associated minor changes to clause numbering and policy table to reflect substantive changes.

### **23 Sept 2015**

CI 19 minor amendment by insertion of “appropriate” rather than “reasonable”

### **14 Sept 2017**

CI 12 amended by deletion of word “must “and inserting “expected to”, CI 15 reworded to correct grammatical errors, CI 18 inserted to clarify requirement regarding patrol commitments; CI 19 amended to clarify requirement regarding wearing of high viz clothing in training; CIs 31-36 inserted to clarify powers of EC re breaches of discipline and club rules; re-numbering of clauses following insertion of new cl 18

### **12 July 2018**

CI 15 amended to remove reference to age groups 15 and over; list of SLSA policies amended to reflect current policy list

### **8 Aug 2019**

CI 3 amended by adding reference to club Values Statement

### **14 Nov 2019**

Inclusion of new cl 20 re members transferring for competition purposes; following clauses re-numbered.