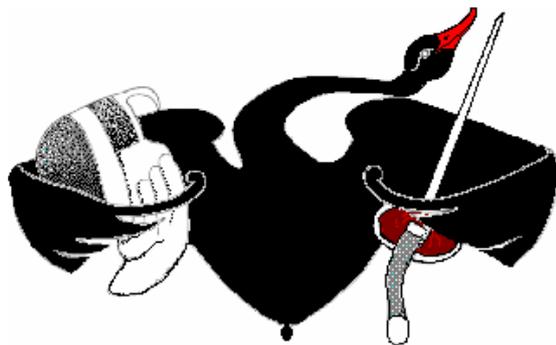


WESTERN AUSTRALIAN FENCING ASSOCIATION



CODE OF CONDUCT:

Professional Standards and Ethics

MAY 2004

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INTRODUCTION

THE MISSION OF WAFA

WAFA's vision for fencing is defined as follows:

- Enhanced quality of life for all our members;
- Western Australia as the premier fencing state in the country.

Striving towards this mission, the Mission of WAFA is to:

“To promote safe participation and achievement in the sport of fencing throughout Western Australia, while providing for the competitive and recreational needs of all our members”.

Fencing in Western Australia is a small but dynamic sport that has grown and changed significantly in the seven years in which WAFA has been in existence. This growth has been fuelled by a strong focus on improving membership activities through providing well run tournaments and events, equipment to new members, running developmental activities and promoting fencing to interested parties.

Underpinning these changes have been the efforts of a team of committed office-bearers, officials, staff, members & volunteer enthusiasts within WAFA and affiliated clubs working with an increasing degree of professionalism. Working together brings with it a need to operate professionally and ethically, with the best interest of WAFA & its members at heart.

PUBLIC CONFIDENCE

To a very significant degree, a positive perception and the efficient functioning of the organisation are strongly reliant on the activities of its office-bearers, officials, staff, & members individually and how they all come together as a whole. By pursuing excellence in our philosophies and work practices we will deliver services of a high calibre, which should attract the praise of members, our peers and the community.

Our members, peers and the community also have a right to expect that WAFA office-bearers, officials & staff are of the highest integrity and competence from whom fair, reasonable and equitable considerations can be consistently expected and whose actions and decisions are openly and properly accounted for.

By adhering to this Code of Conduct and working in an ethical manner, public confidence in the operations of WAFA can be maintained. A more operational application of these principles will be found in the WAFA policies on the WAFA website.

ETHICS – WHAT ARE THEY?

“Ethics” is defined as a set of moral values, which constitute the basis for those principles of conduct held to be correct by, and for, any group or given profession.

In practice behaving ethically simply means doing the right thing, to the best of your ability, all the time – especially when you are not being watched.

CODE OF CONDUCT

ETHICAL VALUES & PRINCIPLES

The following Code of Conduct are based on the ethical values and principles underlying WAFA and are expressed as duties or expectations surrounding the conduct of office-bearers, officials, staff, volunteers & members which includes affiliated clubs, volunteers, coaches, referees [Presidents] and members of committees. This Codes of Conduct includes all policies and procedures that have been adopted by WAFA regarding the conduct of office-bearers, officials, staff, volunteers & members. The Codes of Conduct only apply to WAFA related activities, competitions and events and not to the general life of a person, except as specified in the Code. The Code of Conduct must be interpreted with a view to obtaining the best outcome for WAFA & its members.

Remember that an organisation is always judged by its members, supporters and the community on how it goes about doing what it does, and the level and quality of services it provides. To a very significant degree, a positive perception and the efficient functioning of the organisation are strongly reliant on the activities of office-bearers, officials, staff & members individually and how they come together as a whole. By having good work practices and codes of conduct we all adhere to, we will inevitably act in the best interests of WAFA and deliver good quality services which should attract the praise of members, our peers and the community.

A DUTY TO REFRAIN FROM INAPPROPRIATE BEHAVIOUR

WAFA office-bearers, officials, staff & members will refrain from illegal behaviour or from behaviour which reflects badly upon themselves or WAFA. This duty includes any behaviour which may lead to their exclusion from affiliated clubs or venues, failing security or other checks with funding or contracting agencies, or taking part in programs in the places of other organizations.

A DUTY OF OBEDIENCE AND INTEGRITY; DUTY TO OBSERVE THE LAW, AND POLICIES AND BY-LAWS OF WAFA.

Office-bearers, officials & staff have a duty to familiarise themselves and comply with the laws of the State, Commonwealth and other appropriate or enabling legislation and to perform their duties in accordance with legislative requirements and organisational guidelines.

Office-bearers, officials, staff & members have a duty to familiarise themselves and comply with the policies & by-laws of WAFA, AFF & FIE.

Additionally, organisational office-bearers, officials, staff & members will comply expeditiously with any lawful order and/or instruction appropriately given. This means office-bearers, officials, staff & members will comply with the lawful or appropriate instruction of an office-bearers, official & staff placed in authority over them.

A DUTY TO PROVIDE THE BEST POSSIBLE SERVICE TO MEMBERS.

Organisational office-bearers, officials & staff must have a commitment to deliver the best possible service to members. They must work as part of a team and willingly share relevant information about members through the various processes of WAFA.

It must be recognised that no office-bearer, official or staff member, except for a coach and normal social relationships, shall have an extra interest in a member over any other member, office-bearer, officials or staff member.

Part of this duty requires that members, office-bearers, officials & staff should avoid conflict wherever possible with fellow members, office-bearers, officials & staff by appropriately airing grievances and discussing of problems.

A DUTY TO CONTRIBUTE TO THE IMPROVEMENT OF SERVICE DELIVERY

WAFA office-bearers, officials & staff will at all times have a commitment to the improvement of the delivery of services to members.

This includes taking part in, and contributing to processes both outside and within WAFA which are aimed at improving standards of service delivery, member well being, and the efficient operation of WAFA.

Office-bearers, officials & staff are expected to take part in, and accept supervision (both individual and or group) of work practices and activities conducted on the behalf of WAFA. In order to do this they must realistically assess their own strengths, limitations and possible biases and remain open to suggestion and constructive criticism.

Additionally, WAFA office-bearers, officials & staff have a duty to continually evaluate WAFA systems and processes with the objective to improving cost effectiveness and service delivery, while balancing this objective with the overall interests of WAFA and members. Services are not always based on a *user pays* philosophy. All office-bearers, officials & staff will comply with WAFA systems and procedures to ensure accountability and control of WAFA's physical, financial and personnel resources to minimise cost and avoid waste, wherever possible.

WAFA office-bearers, officials & staff will promote and adhere to the following requirements and principles:

- A high standard of ethical conduct
- Acceptance that members needs are important
- WAFAs organisational needs must be balanced against the needs of members
- A major focus is on servicing the general community
- Consultation amongst stakeholders is paramount
- All our activities are transparent and accountable

A DUTY OF FAIRNESS AND EQUITY; THE RELATIONSHIPS OF ALL STAKEHOLDERS

WAFAs is committed to an organizational environment free of discrimination and harassment where all persons demonstrate respect for one another. Office-bearers, officials, staff & members are encouraged to maintain a safe, friendly, and positive relationship with other office-bearers, officials, staff & members. Their conduct in the activities of WAFAs must be such that it assists other office-bearers, officials & staff to carry out their duties to the best of their abilities. Office-bearers, officials & staff must readily and frankly share their knowledge and experience relating to those programs within which they work.

All WAFAs office-bearers, officials & staff will act impartially, performing all duties consistently, promptly and with integrity. Office-bearers, officials & staff are obligated to treat each issue reasonably and with a view to meeting the principles of natural justice.

Office-bearers, officials & staff will practice universal fairness and protect an individual's rights to due process, equal opportunities and equitable outcomes. This means office-bearers, officials & staff will display fair-mindedness, objectivity and a lack of bias in respect to an individual's rights and participation.

Every office-bearers, officials, staff member, and volunteer has a responsibility to ensure that no person is treated less favourable (ie. Is discriminated against), directly or indirectly, by reason of sex, marital status, pregnancy, race (includes colour, descent, ethnic origin, nationality) impairment (includes physical, disability, intellectual disability and psychological disorders), religious or political conviction (includes lack of conviction), age, family responsibility or family status, or spent conviction(s). Victimisation, sexual or racial harassment are also unlawful.

Where office-bearers, officials & staff feel they are subject to discrimination, or perceive discrimination to be happening to a member they must as soon as possible inform the Secretary or the President of WAFAs. WAFAs is committed to speedily, sensitively and effectively dealing with such complaints.

A DUTY IN INTERRELATIONSHIPS – CORDIAL & PROFESSIONAL

Central to the effective delivery of services to members and running of WAFAs is the relationship which organisational office-bearers, officials & staff, and volunteers have with the members of WAFAs, and the relationship of members with each other & their office-bearers, officials & staff, and volunteers.

It is by this relationship that both other members and other organizations judge us. The particular nature of the member group or member, their problems or their behaviour mean that the office-bearers, officials, staff and member relationships need to be scrupulously professional and appropriate.

Office-bearers, officials & staff should maintain an appropriate relationship with all members and members with each other. Proper boundaries must be established and maintained.

Office-bearers, officials, employees, volunteers, and members are bound by the rules governing members contact as outlined here and elsewhere in the organisation's procedures. The following are listed here because they are very important.

The following rules must be observed:

1. Office-bearers, officials, staff & members must conduct themselves as mature, positive, and appropriate role models for all members. Office-bearers, officials, staff & members will at all times maintain a professional and respectful relationship with all prospective, current and past members.
2. Excluding normal social relationships, the contact of office-bearers, officials & staff with members must be in the context of a normal working relationship with a member. Office-bearers, officials & staff must not make, accept or maintain any inappropriate sexual or intimate contact or relationship with any prospective or current member.
3. Except for recognised professional relationships within Wafa, office-bearers, officials & staff must not enter into any inappropriate contractual or other relationship with a member from whom they will personally benefit or the member will benefit.
4. Should a conflict of interest arise regarding Wafa office-bearer, official or staff and a member(s) [excluding tournaments or competitions], the matter must be resolved with senior office-bearers present such as the President, Treasurer or Secretary. If a satisfactory result is not obtained, then it is to be resolved with a complaint to the Committee through the President, Treasurer or Secretary.
5. Failure to observe these rules may be considered by Wafa as gross misconduct and may lead to disciplinary action.

A DUTY OF CONFIDENTIALITY AND DISCLOSURE OF INFORMATION

1. Between office-bearers, officials & staff

Personal information disclosed by members to office-bearers, officials & staff is confidential and should not, other than for purposes of the proper functioning of Wafa or with the authority of the club member or member be disclosed outside Wafa.

As soon as possible after members have entered Wafa they must be informed that, whilst personal information does not leave Wafa, there may be a flow of information between relevant office-bearers, officials & staff members. Non-identifying information may also be disclosed to funding & other organizations to achieve the mission.

All relevant communications to office-bearers, officials & staff from prospective, current and past members must be recorded or passed on in accordance with all privacy legislation. This is necessary so that office-bearers, officials & staff can properly work with members while maintaining their right to privacy.

2. To members, affiliate clubs, other persons or other organizations

No personal information about a member or communications between members and office-bearers, officials & staff, other than for purposes of the proper functioning or funding of Wafa, should be passed on to other members, affiliate clubs, other persons or organizations without the member's permission. Organisational office-bearers, officials & staff should also observe any legislative requirements regarding disclosure.

Wafa office-bearers, officials & staff will treat all information gained in the course of official duties with due care and responsibility for the welfare and confidentiality of others and the proper security of Wafa.

All members, office-bearers, officials & staff acknowledge that all information pertaining to performance, selection, competition, or tournament results may be in the public domain.

A DUTY OF HONESTY, LOYALTY, INTEGRITY & OPENESS

Ethical values of Honesty, Loyalty, Integrity and Openness are vital if Wafa is to retain public confidence and good standing in the community. The public has a right to expect that Wafa office-bearers, officials & staff are of the highest integrity and competence from whom fair, reasonable and equitable considerations can be consistently expected and whose actions and decisions are openly and properly accounted for.

Wafa office-bearers, officials & staff will behave truthfully and honestly in all dealings and in a fair and sincere manner free from deceit, at all times. Office-bearers, officials & staff will perform all duties without consideration for any personal gain. Additionally, office-bearers, officials & staff will perform all duties impartially whilst maintaining loyalty to Wafa, the public and each other, without compromising integrity. Office-bearers, officials & staff are also expected to be forthright and open and provide relevant information regarding their decisions and or/actions to the persons affected.

Furthermore, office-bearers, officials & staff will at all times provide frank and fearless advice to superiors based on serving the best interests of Wafa and the community. Office-bearers, officials & staff have a duty to report knowledge of, or information regarding corrupt practices or suspected corrupt practices, to disclose suspected fraud or maladministration to management, the Wafa Committee, or the W.A. Police Service if appropriate.

A DUTY REGARDING CONFLICTS OF INTEREST

WAFAs office-bearers, officials & staff should (within the bounds of legality) always act in the best interests of the membership and WAFAs.

Included in the definition of “the best interests of the member” is an endeavour by office-bearers, officials & staff to meet the needs of the member to enable the member to enjoy the benefits of membership. The best interest of the member at times does not necessarily equate with what the member wants.

Office-bearers, officials & staff will be faced with conflicting interests in a number of ways:

- Where members of their club want outcomes which office-bearers, officials & staff consider are not in their best interest of all members or WAFAs.
- Where members of their club are engaging in inappropriate behaviour, which will bring WAFAs, other members or office-bearers, officials & staff into disrepute.
- Where the conduct of a member so annoys or impacts adversely on WAFAs, office-bearers, officials or staff that they do not feel that they can work with the member or function in a fair and equitable way.
- Where a member, office-bearer, official or staff feel that what is being done by another member, office-bearer, official or staff against a member, office-bearer, official or staff or WAFAs generally is not appropriate or not in the best interests of WAFAs.
- Where there are competing interests between members [excluding competitions or tournaments].
- Where a member, office-bearers, officials or staff may personally benefit from an arrangement with a member.

In each of these and other cases, office-bearers, officials & staff should declare such an interest to the possibly adversely affected party or parties [unless clearly disclosed by the situation such as a fellow competitor presiding over a bout] as soon as possible. In a committee situation, the person shall declare such an interest and shall not vote on the issue unless authorized by a majority of committee members present and, if deemed appropriate by the majority of those present, leave the meeting so the relevant matter can be determined.

Excluding any Committee or sub-committee meeting and competition or tournament, if the offended party feels the conflict may not be in the best interests of the membership and WAFAs., that party should consult the highest ranking official present who shall determine the matter. The ranking shall be in accordance with the list of officials contained in the WAFAs Constitution.

At a competition or tournament, if a member or competitor feels the conflict may not be in the best interests of themselves or another competitor, that party should consult the presiding Referee who shall determine the matter. If a satisfactory result is not obtained, then the matter is to be resolved with a complaint to the Director of Tournaments [D.T.] whose decision shall be final on the day.

Where a person fails to declare a conflict of interest, any knowledgeable office-bearer, official or staff without the conflict of interest should have regard to the following: -

- Where office-bearers, officials & staff feel that a member has a conflict of interest they should be informed of that opinion and informed of the likely consequences.
- At no time should office-bearers, officials & staff endeavour shield or hide information concerning conflicts of interests or any evidence of it from fellow office-bearers, officials & staff.
- If appropriate, office-bearers, officials & staff should endeavour to mediate between conflicting members and initiate grievance procedures.
- Where office-bearers, officials & staff are not able to resolve the situation at the time, they should refer the matter to the WAFSA Committee for determination or resolution.
- WAFSA office-bearers, officials & staff will declare all potential or real matters likely to conflict with their duties or WAFSA policies, or with the overall interests of WAFSA, to any fellow office-bearers or officials present.

A DUTY REGARDING PARENTS AND CHILDREN

WAFSA office-bearers, officials & staff should (within the bounds of appropriate conduct & legality) encourage parents of child fencers to adopt a positive approach to their child and not to:

- Put too much emphasis on winning rather than the fun of competing;
- Force their child into a sport they do not want to play;
- Enroll their child at a highly competitive level, rather than a level they are comfortable with;
- Criticise their child's mistakes during training or a competition;
- Yell abuse at fellow competitors, officials or a coach;
- Try to coach and/or referee from the sideline; or
- Constantly focus on negative rather than positive play.

A parent will comply with any instruction to desist in such conduct by an office-bearer, official or staff member placed in authority over the training session, tournament or competition. A failure to observe these approaches to the sport of fencing may lead to an exclusion from an event and may also be considered by WAF A as misconduct and may lead to disciplinary action.

A DUTY REGARDING CONDUCT AT COMPETITIONS AND TOURNAMENTS

General

Unless otherwise determined by the Committee, all members, office-bearers, officials and staff shall follow the FIE rules [unless altered by WAF A or the AFF] for competitions, tournament and bouts.

Referees are instructed prior to a tournament commencing, to ensure good order during bouts, with particular regard to: -

- a) Controlling of spectators during a bout with regard to influencing of scores, decisions, and cheering before a point is awarded. Under no circumstances should a spectator interfere with or influence the referee, the timekeeper or scorekeeper.
- b) Clearly stating the score at the commencement of each point so that the referee, scorer (and preferably the two fencers) are all aware of, and in agreement with, the score throughout the match.
- c) Impressing upon the fencers that the referee's decision is final, and that undue questioning of decisions will not be tolerated.
- d) Ensuring that only one person coaches/advises a fencer during one minute breaks in the bout. No coaching should occur at other times.

All referees to be supplied with a list of penalties and properly award penalties, including the reason for the penalty.

Should the D.T. be approached by a fencer with a complaint (off the piste), the D.T. and fencer retire to a separate room, or area of the venue away from the general fencing area, such that the issues can be discussed in private. The D.T. should hear the complaint on its merits, and within the rules of fencing, previous issues, or personal history should not be raised.

Whenever practical the referee and scorer should be selected from different clubs, or the scorer be a spectator not involved with either fencer.

Bouts

During bouts, the following process shall apply to determination of disputes.

Step 1 - Discussions with President

Where a member questions an interpretation of a fencing sequence or carding offence, it must be done at the time of its occurrence. and must be determined immediately by the President. The only persons involved in the discussion is the fencer and President, and if appropriate, the opposing fencer.

The Referee shall tell the fencer that if they do not agree with his or her resolution of the dispute on an issue of law, they can ask for the D.T to be called for any on-piste dispute resolution.

Step 2 - Further Discussions and Investigation

If the matter is not resolved at Step 1, either fencer may refer the matter to the Director of the Tournament [D.T.]. The only persons involved in the discussion are the two fencers, President and D.T. The decision of the D.T. shall be final.

Step 3 – Report to WFA Committee

Within three (3) days of the competition or tournament, the D.T. shall file a report on the competition or tournament with the WFA Secretary, including the events surrounding any black card offences. In regard to black card offences, the WFA Committee may either:

- proceed no further,
- appoint an office-bearer or official to resolve the matter;
- seek to resolve the matter by mediation; or
- appoint a Disciplinary Tribunal to determine the matter.

The Committee may notify any relevant party of their decision.

COMPLAINT & GRIEVANCE PROCEDURE

Principles of Dispute Resolution

If a member has a concern or complaint about any matter relating to their participation or their child's participation in WFA, he/she should raise it with the person concerned at the earliest opportunity. With effective communication and cooperation most concerns will be quickly resolved through direct discussion and negotiation.

For disputes not resolved at this informal level, a member may initiate a formal dispute or grievance procedure. A formal dispute or grievance may be lodged in relation to discrimination or harassment claims, disputes over employment contracts, conflicts of interest, misconduct or inappropriate behaviour.

Disputes may arise when a member is concerned about:

- the way that he/she is being treated by an office-bearer, official, staff or fellow member;
- the way that a parent's child is being treated by an office-bearer, official, staff or fellow member;
- inappropriate behaviour or conduct of a fellow member, office-bearers, officials or staff member.
- provisions in a new employment contract;
- the outcome of any team selection decision or performance review;

- about the practices or conditions at a WAFA event; or
- any matter relating to a breach of the policies, by-laws or Constitution of WAFA or having a bearing on the general well-being of WAFA. .

Dispute resolution principles:

- A member must feel confident to use the process without fear of reprisal;
- A member who lodges a dispute involving a fellow member, office-bearers, officials or staff member will be given appropriate protection;
- A member has a right to lodge a complaint or grievance;
- A child member has a right to representation at any stage of the process;
- A member has a right to be informed about the nature of a complaint against them and to be given a fair hearing;
- Parties to a dispute must comply with WAFA's confidentiality policy;
- Disputes will be resolved in a timely and efficient manner;
- Disputes will be resolved with minimal disruption or cost to those involved;
- Parties to a dispute will make a genuine attempt to resolve the dispute before seeking recourse through external tribunals.

Process of Dispute Resolution

Step 1 - Informal Discussions

A member raises concern or complaint with the person concerned at the earliest opportunity. The parties meet to discuss the issue and seek to agree on appropriate action to resolve the dispute.

Step 2 - Further Discussions and Investigation

If the matter is not resolved at Step 1, either party may refer the matter to the WAFA Committee. At this stage the Committee may require a written statement from both parties and may decide to investigate the matter before recommending a course of action.

Step 3 – Committee Decision on Process

Within a reasonable time of being notified of a dispute, the Committee may either:

- refuse to accept the complaint or grievance as valid;
- seek to resolve the matter by appointing an office-bearer to attempt to resolve the matter by agreement of the parties;
- seeking the agreement of the parties to resolve the matter by mediation; or
- appointing a Mediation/Disciplinary Tribunal to determine the matter.

The Committee must notify the complaining party and if appropriate any other relevant party, of their response, written or otherwise, as soon as possible.

Step 4 – Mediation

If the parties agree to refer the matter to mediation, they must:

- Agree to the appointment of the mediator
- Participate in the mediation process in good faith
- Cooperate to ensure that the dispute is resolved as quickly as is reasonably possible
- Agree to be bound by the decision of the Mediator' decision.

The Mediator will decide the process for the mediation and his or her decision shall be final & binding on the parties.

Step 5 – Mediation/Disciplinary Tribunal

The Tribunal shall be appointed by the WFA Committee to determine the Appeal. It shall be made up of at least 3 members:

Chairperson
Fencer or past Fencer
Third person

The Chairperson shall be a member of the WFA Committee; the remaining members may, or may not, be members of the WFA Committee. The WFA Committee appoints the Chairperson.

The Committee Members shall not have a conflict of interest relating to the matter before the Tribunal .

The Appeal Tribunal shall observe the rules of natural justice, giving all parties the opportunity to be heard [including the parents of an Appellant under 16 years of age].

The Tribunal shall report to the WFA Committee with their determination and any recommendations.

WFA COMMITTEE