



# **BOARD MANUAL AND POLICIES**

## TABLE OF CONTENTS

|  |           |
|--|-----------|
| <b>Charter .....</b>   | <b>4</b>  |
| <b>Responsibilities of the Board of Board Members .....</b>            | <b>4</b>  |
| <b>Expectations of Board Members .....</b>                             | <b>5</b>  |
| <b>Governance Process Policies .....</b>                               | <b>6</b>  |
| Code of Ethics Policy .....  | 7         |
| Strategic Direction and Planning Policy .....                          | 9         |
| Financial Governance Policy.....                                       | 10        |
| Conflict of Interests Policy.....                                      | 11        |
| Risk Management Policy.....  | 12        |
| Board Committee's Policy .....   | 13        |
| Board Meetings Policy .....  | 14        |
| Board Succession Planning Policy.....                                  | 15        |
| Board Member Induction Policy .....                                    | 16        |
| Board and Board Member Performance Assessment and Training Policy..... | 17        |
| Chairperson Role Policy.....   | 18        |
| Reimbursement of Chairperson Expenses Policy .....                     | 19        |
| Remuneration Policy .....  | 20        |
| Stakeholder Relations Policy .....                                     | 21        |
| Public Affairs Policy .....  | 23        |
| <b>Financial Policies .....</b>  | <b>24</b> |
| Budget and Financial Planning Policy .....                             | 25        |
| Financial Management Policy .....                                      | 26        |
| Financial Reporting Policy.....  | 27        |
| Protection of Assets Policy.....                                       | 28        |
| <b>Operational Policies.....</b>                                       | <b>29</b> |
| Record Keeping Policy.....   | 30        |
| Sponsors as Priority Suppliers Policy .....                            | 31        |
| Legal Compliance Policy.....   | 32        |
| Contractors Policy.....  | 33        |
| SN Recorder Policy.....  | 34        |
| Service, Honours and Life Membership Policy.....                       | 35        |
| Awards Presentation Policy .....                                       | 36        |
| <b>Athlete Policies .....</b>  | <b>37</b> |
| Swimming Northland Representative Policy .....                         | 38        |
| Eligibility for Swimming Northland Swimmers Awards Policy .....        | 39        |
| Eligibility to Hold a Northland Record Policy .....                    | 40        |
| Northland Shirts Policy.....   | 41        |

|  |    |
|--|----|
| Northland Caps Policy.....                             | 42 |
| Swimming out of Region Policy.....                     | 43 |
| International New Zealand Selection Grant Policy ..... | 44 |
| <b>Team Manager/Technical Officials Policies</b> ..... | 45 |
| Regional Team Managers Remuneration Policy .....       | 46 |
| Funding Policy .....                                   | 47 |
| Appointed Official Remuneration Policy .....           | 48 |
| <b>APPENDIX</b> .....                                  | 49 |

---

# Charter

---

On behalf of the members, Swimming Northland is responsible for the stewardship and future well-being of the organisation.

## **Governance defined – the role of the Board**

*The exercise of leadership through the establishment and monitoring of necessary controls and strategic direction setting so that the organisation is equipped to respond to the changing circumstances and situations in the external and internal environments in order to meet its requirements in law and the expectations and requirements of members and other key stakeholders.*

---

## **Responsibilities of the Board of Board Members**

---

### **1. Meeting legal requirements**

The Board's first duty is to the legal entity. In meeting this duty the Board must ensure that all legal requirements under the relevant Acts are met and that the entity is protected from harmful situations and circumstances in the interests of current and future stakeholders.

In particular Board Members have the following legal obligations:

- a. To act in good faith in the interests of all members of Swimming Northland
- b. To exercise their powers for a proper purpose
- c. To act honestly
- d. To act with reasonable care and diligence
- e. To not make commitments that cannot reasonably be met
- f. Not to make improper use of either their position on the Board or information gained while in that role.
- g. Ensure that the organisation does not trade while insolvent

Board Members, either individually or collectively, are potentially liable if they act illegally or negligently.

### **2. Governance philosophy and approach**

The Board shall govern Swimming Northland with an emphasis on:

- a. serving the legitimate collective interests of the present members of Swimming Northland and accounting to them fully for the performance of Swimming Northland and for the Board's stewardship of that performance;
- b. remaining up to date in terms of members' concerns, needs and aspirations;
- c. developing a future focus rather than being preoccupied with the present or past;
- d. providing leadership in the exploration of strategic issues rather than becoming distracted by administrative detail;
- e. behaving proactively rather than reacting to events and others' initiatives
- f. bringing a diversity of opinions and views to bear on its decisions;

- g. the development and expression of a collective responsibility for all aspects of the Boards performance

**3. Interaction with the media**

In all contact with the media the Chairperson shall be sole spokesperson on all operating and governance related matters relating to Swimming Northland. The Chairperson may delegate aspects of this responsibility as appropriate.

**4. Other**

The Board will perform such other functions as a prescribed by law or assigned to the Board under Swimming New Zealand's governing documents.

---

**Expectations of Board Members**

---

To execute these governance responsibilities, Board Members must, so far as possible, possess certain characteristics, abilities and understandings:

**1. Fiduciary duties**

Board Members must fulfil their fiduciary duty to act in Swimming Northland's best interest at all times regardless of personal position, circumstances or affiliation.

**2. Strategic orientation**

Board Members should be future oriented, demonstrating vision and foresight. Their focus should be on strategic goals and policy implications rather than operational detail.

**3. Integrity and accountability**

Board Members must demonstrate high ethical standards and integrity in their personal and professional dealings, and be willing to act on - and remain collectively accountable for all Board decisions even if these are unpopular or if individual members disagree with them. Board Members must be committed to speaking with one voice on all policy and directional matters.

**4. Informed and independent judgement**

Each member of the Board must have the ability to provide wise, thoughtful counsel on a broad range of issues.

**5. Financial literacy**

Because the Board should be able to read financial statements and understand the use of financial ratios and other indices used for evaluating Swimming Northland's performance.

**6. Sector knowledge**

Each Board Member is expected to bring a level of sector knowledge sufficient to contribute to the board's deliberations and considerations on behalf of the organisation and its Members.

**7. Participation**

Each Board Member is expected to enhance the Board's deliberations by actively offering questions and comments that add value to the discussion.

---

## **Governance Process Policies**

---

---

*The Board is committed to the adoption of ethical conduct in all areas of its responsibilities and authority.*

---

### **Procedures:**

Board Members shall:

1. Act honestly and in good faith and honesty at all times in the best interests of Swimming Northland as a whole.
2. Declare all interests that could result in a conflict between personal and organisational priorities.
3. Exercise diligence and care in fulfilling the functions of office.
4. Make reasonable enquiries to ensure that Swimming Northland is operating efficiently, effectively, legally and ethically in the pursuit of its organisation goals and strategies.
5. Maintain sufficient knowledge of Swimming Northland's business and performance to make informed decisions.
6. Not agree to Swimming Northland incurring obligations unless he or she believes that such obligations can be met when required.
7. Attend Board meetings and devote sufficient time to preparation for Board meetings to allow for full and appropriate participation in the Board's decision making. Refer Swimming Northland Constitution section 3 Governance 8.9(f) regarding absences.
8. Ensure scrupulous avoidance of deception, unethical practice or any other behaviour that is, or might be construed as, less than honourable in the pursuit of Swimming Northland's business.
9. Not disclose to any other person confidential information other than as agreed by the Board or as required under law.
10. Act in accordance with their fiduciary duties, complying with the spirit as well as the letter of the law, recognising both the legal and moral duties of the role.
11. Abide by Board decisions once reached notwithstanding a Board Member's right to pursue a review or reversal of a Board decision.
12. Not to make, comment, issue, authorise, offer or endorse any public criticism or statement having or designed to have an effect prejudicial to the best interests of Swimming Northland.

The Board shall:

13. Make every reasonable effort to ensure that Swimming Northland does not raise community, supplier or member expectations that cannot be fulfilled.
14. Meet regularly to monitor the performance of Swimming Northland. To do this the board will ensure that appropriate monitoring and reporting systems are in place and that these are maintained and utilised to provide accurate and timely information to the board.
15. Ensure that there is an appropriate separation of duties and responsibilities between itself and senior management and that no one has unfettered powers of decision making.

16. Ensure that the independent views of board members are given due consideration and weight within the Board room but that personal views will not be expressed outside of the Board room.
17. Ensure that members are provided with an accurate and balanced view of the organisation's performance including financial.
18. Regularly review its own performance as the basis for its own development and quality assurance. Individual board members should also review their own performance with a view to ensuring a suitable contribution to board deliberations and decision making and, if found lacking, should either pursue training or assistance to improve their performance or resign.
19. Carry out its meetings in such a manner as to ensure fair and full participation of all board members.
20. Ensure that the organisation's assets are protected via a suitable risk management strategy.

|   |                                    |
|---|------------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                    |
| Date last reviewed:                                   | Date of next review: December 2019 |



## Strategic Direction and Planning Policy

---

*An essential element in the board's leadership role is its responsibility to set the strategic direction for Swimming Northland. Accompanying this is an ongoing responsibility to identify organisation priorities, stakeholder agreements and expectations, monitor progress against the strategic goals and objectives and view and approve annual business plans and the annual budget.*

*The Board shall:*

- 1. Tri-annually establish and review Swimming Northland's Purpose, vision, organisation strategies and priorities.*
- 2. Annually review annual plan to ensure alignment with the strategic direction, priorities and strategies.*
- 3. Schedule a programme of strategic dialogue at board meetings that reflects the priorities as defined by the board and that creates opportunities for the board and management to think strategically about future issues of strategic importance to Swimming Northland's wellbeing and success.*
- 4. Create a 3 Year Board Work Plan in September of that cycle.*

---

### Procedures – Board-level policies:

1. All board-level policies will be approved by the board at a formally constituted board meeting.
2. The need for new policies can be notified by individual board members or members of the organisation.
3. Whenever possible, policies should be developed in response to the potential for future use or in advance of an event rather than in response to an event, crisis or problem.
4. Except in unique circumstances, a policy cannot be introduced and approved by the board at the same board meeting.
5. Typically a subcommittee or board working party may research and draft new policies. These will then be circulated to all board members and other interested parties for comment prior to presentation to the board for approval.
6. All policies shall follow the same format as follows:
  - a. Policy name (and file reference as appropriate)
  - b. Policy statement
  - c. Procedures
  - d. Split of responsibilities (as appropriate)
  - e. Review date
7. All policies will be programmed for review to be carried out as per annual work plan.
8. All board-level policies shall be available to all board members.

|   |                                    |
|---|------------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                    |
| Date last reviewed:                                   | Date of next review: December 2019 |

## Financial Governance Policy

---

---

*The Board has a core duty to ensure the financial integrity and viability of Swimming Northland. This entails oversight of all financial processes and systems, regular review of financial results and, annually, approving Swimming Northland's financial plan and budget and financial announcements.*

---

### Procedures:

The Board shall:

1. Develop, review and monitor the implementation of governance level financial policies.
2. Provide guidance on budget parameters and priorities and approve the annual budget and financial plan including capital expenditure.
3. Approve expenditure outside budget parameters.
4. Review and approve the full year financial statements, reports and outcomes.
5. Review and approve regularly scheduled financial statements and reports, i.e. for each board meeting or at the Board's request.
6. Ensure the Financial results are audited as per Swimming Northland Constitution, and a report is received.

|  |                                 |
|--|---------------------------------|
| Date adopted: 20 August 2017 (reviewed every year) |                                 |
| Date last reviewed: 21 March 2019                  | Date of next review: March 2020 |

## Conflict of Interests Policy

---

*The Board places great importance on making clear any existing or potential conflicts of interest for Board Members.*

*Conflicts of interest may occur:*

- 1. When a Board Member, or his/her immediate family or business interests, stands to gain financially from any business dealings, programmes or services provided Swimming Northland.*
  - 2. When a Board Member offers a professional service to Swimming Northland.*
  - 3. When a Board Member stands to gain personally or professionally from any insider knowledge if that knowledge is used for personal or professional advantage.*
- 

### Procedures:

1. Any business or personal matter which could lead to a conflict of interest of a material nature involving a Board Member and his/role and relationship with Swimming Northland, must be declared and registered in the Register of Interest.
2. All such entries in the Register shall be presented to the Board and minuted at the first Board meeting following entry in the records.
3. All conflicts of interest must be declared by the Board Member concerned at the earliest time after the conflict is identified. Normally there will be the opportunity at the commencement of each board meeting for conflicts of interest to be declared.
4. The Board shall determine whether or not the conflict is of a material nature and shall advise the individual accordingly.
5. Where a conflict of interest is identified and/or registered, and the Board has declared that it is of material benefit to the individual or material significance to the organisation, the Board Member concerned shall not vote on any resolution relating to that conflict or issue.
6. The Board Member shall only remain in the room during any related discussion with Board approval.
7. The Board will determine what records and other documentation relating to the matter will be available to the Board Member.
8. All such occurrences will be minuted.
9. Individual Board Members, aware of a real or potential conflict of interest of another Board Member, have a responsibility to bring this to the notice of the Board.
10. Where a Board Member has an ongoing material conflict of interest, this Board Member must consider resignation from the Board. However, resignation should not occur where this will result in serious detriment to the Board or to Swimming Northland.

|   |                                    |
|---|------------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                    |
| Date last reviewed:                                   | Date of next review: February 2020 |

## Risk Management Policy

---

---

*The Board will identify and evaluate the principal risks faced by Swimming Northland and ensure that appropriate systems are in place to avoid or mitigate these risks.*

---

### Procedures:

The Board shall:

1. Ensure that suitable internal controls are in place and are enacted and monitored to ensure effective and efficient operation and management of the organisation's resources.
2. Ensure that proper accounting records are kept.
3. Ensure prompt investigation of any material shortfalls or breaches in compliance or risk management standards.

|   |                                 |
|---|---------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                 |
| Date last reviewed: 21 March 2019                     | Date of next review: March 2021 |

## Board Committee's Policy

---

---

*The Board will establish committees and working parties only to support it in its governance work.*

---

### Procedures:

1. Committees and working parties shall have Terms of Reference defining their role, life span, procedures and functions, and the boundaries of their authority, reviewed annually.
2. Committees and working parties may co-opt outside members from time to time in order to bring additional skills, experience or networks.
3. Unless explicitly empowered by the Board, committees or working parties cannot make binding Board decisions or speak for the Board. For the most part the function of committees and working parties, in fulfilling their role, is to make recommendations to the Board.
4. Management Sub-Committees must submit a written report to each Board Meeting to report on their progress.

|   |                                    |
|---|------------------------------------|
| Date adopted: 20 August 2017 (reviewed every 3 years) |                                    |
| Date last reviewed:                                   | Date of next review: February 2020 |

---

*The Board is committed to the achievement of effective and efficient meetings. The majority of Board business will be conducted in Board meetings.*

---

### Procedures:

1. The Board will make the best possible use of its meetings by dealing only with matters that have governance-level significance, by focusing primarily on the future and, within a defined policy framework.
2. The Board will develop a work plan covering the next 36 months that (1) ensures the Board regularly reviews progress towards the achievement of the strategic direction/strategic plan and relevant strategic issues (2) provides assurance that all relevant compliance requirements are addressed, and (3) improves Board performance through education and continuous focus on its governance effectiveness.
3. The Administrator will establish the agenda for each Board meeting in conjunction with the Chairperson, although each Board member is free to suggest the inclusion of item(s) on the agenda. The focus of the meeting will be a topic(s) drawn from the work plan.
4. The Board will normally meet once every month; however, board meetings may be scheduled at other times or at other frequencies as determined by the Board.
5. Board members will receive their Board papers at least 5 working days prior to the meeting.
6. Others can attend Board Meetings but if they wish to speak they must apply to the Administrator 5 working days prior to the meeting and it will be granted at the Board's discretion. Such attendees will respect the Boards' integrity and accountability and will thus accept any constraints imposed by the Board or the Chairperson on their participation and presence.
7. The Board may hold 'Board only' sessions at its discretion.
8. The Board has the right to go 'in committee' at any time it chooses but in doing so will:
  - a. make the reasons for this clear
  - b. reserve the right to include or exclude any board member it so chooses
  - c. make all efforts to look ahead and signal any such 'in committee' session in the agenda or at the beginning of the meeting.
9. The meeting will be held with the expectation that members have prepared for them and will participate in all discussions at all times within the boundaries of behaviour considered acceptable by the board.
10. The Board will keep written minutes, copies of which go to Board members

|   |                                 |
|---|---------------------------------|
| Date adopted: 20 August 2017 (reviewed every 3 years) |                                 |
| Date last reviewed:                                   | Date of next review: April 2020 |

## Board Succession Planning Policy

---

---

*The Board will ensure that a succession planning process is in place that will result in the range of skills, knowledge and experience necessary for the Board to effectively govern.*

---

### Procedures:

The Board shall:

1. Ensure that current Board members notify the Board of their intentions at the first Board meeting after the AGM. This includes the role of Chair and Vice-Chair so that there is sufficient time to mentor a hand over.
2. Identify the required knowledge, experience and skills needed to achieve a balanced Board.
3. Initiate the recruitment process 5 months prior to the AGM.
4. Adhere to Section 8 of the SN constitution when acquiring new members.
5. Maintain a register of Board members' terms.

|  |                                    |
|--|------------------------------------|
| Date adopted: November 20, 2019 (reviewed every 2 years) |                                    |
| Date last reviewed:                                      | Date of next review: November 2021 |

---

*The Board will provide to all new Board Members a thorough induction into the affairs of both the Board and Swimming Northland at large.*

---

### Procedures:

1. All new members will receive a letter to confirm their appointment.
2. All prospective Board Members will be provided with all relevant information. Eg Annual Work Plan, Financial Statement, Calendar of Events, Annual Report, Meeting Dates
3. Upon appointment/election and prior to attendance at their first Board meeting, new Board Members will receive a copy of the Board Manual including Governance policies, Articles/Constitution and other relevant legal governance documentation, current and recent meeting papers, an organisational chart, contact details for other Board Members and key staff, a glossary of key terms, definitions and acronyms, the current year's meeting schedule and the annual agenda.
4. All new members will meet with the Chairperson for a governance familiarisation.
5. At the first Board meeting attended by new members, introductions will be held with all members, new and old, exchanging information about background, special responsibilities and special contributions to the board's proceedings and general business.
6. All Board members will sign the Board Charter and Swimming NZ Code of Conduct in front of their Board colleagues as a symbol of their commitment to act at all times in the best interests of Swimming Northland.

|   |                                 |
|---|---------------------------------|
| Date adopted: 20 August 2017 (reviewed every 3 years) |                                 |
| Date last reviewed:                                   | Date of next review: April 2020 |



## Board and Board Member Performance Assessment and Training Policy

---

---

*The Board's value-adding role requires that the board as a whole and all Board Members regularly review their performance. Where relevant to the role and duties of Board Membership training may be offered.*

---

### Procedures:

1. The Board will undertake annual assessment of its performance and of the performance of individual board members.
2. An independent person may be used to assist the Board in this process.
3. The Board will make every reasonable effort to facilitate training for all Board Members and for the Board as a whole to maximise its value-adding contribution to the organisation.

|   |                               |
|---|-------------------------------|
| Date adopted: 20 August 2017 (reviewed every 3 years) |                               |
| Date last reviewed:                                   | Date of next review: May 2020 |

## Chairperson Role Policy

---

---

*The Chairperson provides leadership to the Board, ensuring that the Board's processes and actions are consistent with its policies. As appropriate, the Chairperson represents the Board and the organisation to outside parties. It is expected that the Chairperson will promote a culture of stewardship, collaboration and co-operation.*

---

### Procedures:

1. The Chairperson will chair Board meetings ensuring that:
  - a. Meeting discussion content is confined to governance matters as defined in the Board's policies.
  - b. All Board Members are treated even-handedly and fairly.
  - c. All Board Members are encouraged and enabled to make a contribution to the Board's deliberations.
2. The Chairperson has no authority to unilaterally change any aspect of Board policy.
3. The Chairperson will ensure that the Board develops and implements processes and systems that result in board effectiveness including:
  - a. The development, review and monitoring of Swimming Northland's strategic plan and risk management.
  - b. Board member and office holder succession planning.
  - c. Board training.
  - d. Board review evaluation.
4. The Chairperson will ensure that Board meetings are properly planned including the development and distribution of Board papers in a timely manner and that the minutes accurately reflect the deliberations and decisions of the Board.
5. The Chairperson will ensure that all Board decisions are understood by trustees and accurately recorded
6. The Chairperson may delegate aspects of the authority accompanying the position but remains accountable for the overall role.

|   |                               |
|---|-------------------------------|
| Date adopted: 20 August 2017 (reviewed every 3 years) |                               |
| Date last reviewed:                                   | Date of next review: May 2020 |

## Reimbursement of Chairperson Expenses Policy

---

---

*Swimming Northland will reimburse all reasonable expenses incurred by the Chairperson in carrying out their role, as passed for payment at a Board Meeting.*

---

### Procedures:

1. Chairperson to present list of expenses to Treasurer with receipts if applicable.
2. The Chairperson has a fund available to them to cover expenses incurred related to carrying out their role on behalf of Swimming Northland. The amount of this fund is set at the AGM annually.

|   |                               |
|---|-------------------------------|
| Date adopted: 20 August 2017 (reviewed every 3 years) |                               |
| Date last reviewed:                                   | Date of next review: May 2020 |

## Remuneration Policy

---

---

*The Board members will each receive remuneration for attendance at meetings.*

---

### **Procedures:**

The Board shall:

1. At the first meeting in the new Financial year ratify the remuneration for board members for the coming year
2. Set the regularity of these payments

|   |                                     |
|---|-------------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                     |
| Date last reviewed: September 2019                    | Date of next review: September 2021 |

## Stakeholder Relations Policy

---

---

*The Board must ensure that sound relations are maintained with all key stakeholders, especially those with whom the organisation has a funding relationship.*

---

### Procedures:

The Board shall:

1. Ensure that there is a formal process for addressing stakeholders expectations and contractual relationships.
2. Review the Stakeholder Plan annually
3. Must meet all compliance requirements relating to stakeholder/funder contracts.
4. Gather Stakeholder feedback on an annual basis.

|   |                                    |
|---|------------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                    |
| Date last reviewed: October 2019                      | Date of next review: November 2021 |



## Public Affairs Policy

---

---

*The Board and contractors shall not undertake, approve or in any way support any action that is directly demeaning or derogatory or in any way damaging to Swimming Northland.*

---

### **Procedures:**

In all contact with the media the Chairperson shall be sole spokesperson on all operating and governance related matters relating to Swimming Northland. The Chairperson may delegate aspects of this responsibility as appropriate.

|   |                                    |
|---|------------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                    |
| Date last reviewed: November 2019                     | Date of next review: November 2021 |

---

## **Financial Policies**

---



## Budget and Financial Planning Policy

---

---

*It is the responsibility of the Treasurer to research and develop Swimming Northland's overall annual operating budget. The annual budget and financial forecast should be soundly prepared reflecting a mix of ongoing operational requirements and Swimming Northland's critical strategic issues as identified in the strategic plan. The budget should reflect both expenditure and revenue projections.*

---

### Procedures:

The Treasurer shall:

1. Prepare and present a yearly budget and supporting information which shall allow approval by the Board.
2. Present the annual draft budget to the Board two months prior to the start of the financial year.
3. Present the final budget for approval to the Board meeting one month prior to the start of the financial year.
4. Ensure that the budget shall comply with the Boards stated objectives, priorities and presentation format.
5. Ensure that the budget shall contain sufficient detail to allow an accurate projection of revenues and expenditures and present a true cashflow projection/forecast (including capital budget projections where applicable).
6. Regularly review the budget variance at each meeting.

|  |                                 |
|--|---------------------------------|
| Date adopted: 20 August 2017 (reviewed every year) |                                 |
| Date last reviewed: 20 March 2019                  | Date of next review: March 2020 |

---

*It is the policy of Swimming Northland to maintain financial viability at all times. A contracted treasurer will be responsible to adhere to and implement the following policies:*

- 1. Ensure that Swimming Northland does not incur unauthorised indebtedness.*
  - 2. Not utilise funds or make any payments unless approved by the Board.*
  - 3. Ensure that accounts are paid on time.*
  - 4. Not allow for any one person alone to have complete authority over any of Swimming Northland's financial transactions.*
  - 5. At all times operate within a financial environment as defined by the Swimming Northland approved budget and within Swimming Northland policy.*
  - 6. Ensure appropriate financial reporting.*
  - 7. Ensure all financial transactions shall be recorded using standard accounting practices*
- 

### Procedures

The Board shall:

1. Have a contracted Treasurer
2. Require that all payments authorised by 1 of 2 Board Members as well as the Treasurer
3. Require the Treasurer to present at each Board Meeting
  - a. A monthly Income and Expenditure Report
  - b. Budget vs Actual Report
  - c. A bank reconciliation with a copy of monthly bank statements for previous month
  - d. A list of payments to be made (which includes those already made but not presented at a previous meeting)
4. Require that the accounts are reviewed yearly by an approved accountant and approved by the AGM
5. Require that the accountant writes a letter to the Board following the review to ascertain if the accountant should meet with the Board.

|  |                                 |
|--|---------------------------------|
| Date adopted: 20 August 2017 (reviewed every year) |                                 |
| Date last reviewed: 21 March 2019                  | Date of next review: March 2020 |

---

*Financial reporting to the Board is to be presented in such a way as to enable Board members to understand the meaning of the reports and that all reports are a true and accurate record of the financial affairs of Swimming Northland.*

---

### **Procedures:**

All financial reports shall:

1. Be a complete representation of the accounts presented.
2. Reflect a true and accurate picture of the financial position of the organisation including, where appropriate, comparison to budget and/or prior period results.
3. Utilise standard financial reporting formats which present the data in such a way as to make it easy to interpret or understand and comply with all legal and standard accounting requirements.
4. Comply with the agreed Board reporting procedures.
5. Contain comment on trends and variances.

### **6. Monthly Financial Statements**

- a. Financial reports shall be produced monthly and are as follows:
  - i. A monthly Income and Expenditure Report
  - ii. Budget vs Actual Report
  - iii. A bank reconciliation with a copy of monthly bank balances for previous month generated by the bank
  - iv. A list of payments to be made (which includes those already made but not presented at a previous meeting)
- b. The full financial statements should be made available to the Board members five working days prior to the Board meeting. If a Board meeting is not held in any month, financial statements for that month shall be emailed to board members for review.

### **7. Annual General Meeting**

- a. The AGM must be held once every year no later than 4 months after the financial year as per 10.2 of the Swimming Northland constitution.
- b. An independent reviewed set of financial statements will be presented to the AGM, which shall be prepared in accordance with generally accepted accounting practices.

|   |                                 |
|---|---------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                 |
| Date last reviewed: 21 March 2019                     | Date of next review: March 2021 |

## Protection of Assets Policy

---

---

*The Board must take all prudent and reasonable actions to ensure that Swimming Northland's assets, physical and intellectual, are protected against all foreseeable damaging circumstances.*

---

### Procedures:

The Board shall:

1. Ensure the assets are not insured for less than is considered necessary for prudent risk management.
2. Protect the organisation and its Board Members against claims of liability.
3. Not make any purchase of goods or services without protection against conflict of interest.
4. Protect intellectual property, information, and files from loss, improper use, improper purposes, or significant damage.
5. Ensure that there are appropriate and effective security systems in place to adequately safeguard against loss, common damage or theft of organisation property.
6. Keep a maintained Asset register.
7. Not allow insurances to expire without Board notification.
8. Ensure replacement and upgrading of equipment be budgeted for within the particular item's lifespan.
9. Ensure an inventory of Swimming Northland's property be maintained and reviewed regularly with a view to monitoring the lifespan and usability of these items.
10. Apply annual depreciation based on past records for asset expenditure.

|   |                                   |
|---|-----------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                   |
| Date last reviewed: November 2019                     | Date of next review: October 2021 |

---

## **Operational Policies**

---

## Record Keeping Policy

---

---

*Swimming Northland requires an effective system of records management to be in place to ensure efficient operation, maintenance, security and preservation of the organisation's current and historical records.*

---

### Procedures:

1. An annual review of all office files, and publications is to be made to separate archival and current records.
2. All records of a personal and confidential nature are to be kept in a secure place and will be destroyed when no longer relevant or required to be kept by law.
3. The computerised filing system will be backed on a regular basis using a suitable backup method. All Swimming Northland computers to be backed up.
4. All archival material will be kept in a secure location.
5. The Board will be responsible for operation, maintenance, security and preservation of the organisation's current and historical records.
6. The collection, use and retention of such information is to comply with the provisions of the Privacy Act 1993.

|   |                                   |
|---|-----------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                   |
| Date last reviewed: November 2019                     | Date of next review: October 2021 |

## Sponsors as Priority Suppliers Policy

---

---

*Swimming Northland's family of sponsors are critical to the organisation's revenue. It is therefore our policy to give our sponsors priority for any service/product required by us.*

---

### Procedures:

The Board shall:

1. In the first instance, request a quote from the relevant sponsor (if there is one) for any service or product required by Swimming Northland.
2. Use the services/product of the relevant sponsor if, in his/her opinion, the price is deemed competitive.
3. Obtain other quotes, if, in his/her opinion, the price is not deemed competitive
4. Request a decision from the board if he/she believes any provider/supplier other than the sponsor should be used
5. Take into consideration the level of sponsorship in relation to the level of work/product required

|   |                                     |
|---|-------------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                     |
| Date last reviewed: September 2019                    | Date of next review: September 2021 |

## Legal Compliance Policy

---

---

*It is the policy of Swimming Northland to comply with all relevant statutory and regulatory obligations at all times.*

---

### **Procedures:**

The Board shall:

1. Develop appropriate health and safety policies and procedures which comply with the provisions of the Health and Safety at Work 2015, the Employment Relations Act 2016 and the Injury Prevention, Rehabilitation and Compensation Act 2001
2. Ensure compliance with any other relevant legislation and statutory regulations
3. Comply with any statutory or regulatory obligations or if a personal grievance (or any other grievance or case) is brought against the organisation

|   |                                     |
|---|-------------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                     |
| Date last reviewed: September 2019                    | Date of next review: September 2021 |



## Contractors Policy

---

---

*It is the policy of Swimming Northland to contract the services of an Administrator and Treasurer.*

---

### Procedures:

The Board shall:

1. Find a suitable contractor to carry out the above positions.
2. Draw up a contract to cover duties required which will be signed by the Chairperson and the contractor prior to commencement
3. Set a suitable remuneration
4. The contract will be reviewed annually in February with an appraisal to be carried out by the Chairperson.

|   |                                   |
|---|-----------------------------------|
| Date adopted: 20 August 2017 (reviewed every 2 years) |                                   |
| Date last reviewed: November 2019                     | Date of next review: October 2021 |

## SN Recorder Policy

---

---

*Swimming Northland will have in place an Honorarium to the maximum of \$1000 per season that can be used to give to the person known as the Swimming Northland Recorder.*

---

### Procedures:

The Board shall:

1. At the May Board Meeting have a discussion with Treasurer, Administrator and Board Liaison on Events Committee to establish how much time the Recorder has spent on the job and how thorough the job has been done as per the SN Recorder Duties Description document (Appendix 1)
2. Based on the discussion above approve the payment of an Honorarium up to the value of \$1000 in any one season (1 July - 30 June)
3. Pay out the amount before the end of the Financial year
4. Ensure that this is a gratuitous reward for the job done and not a payment for the work

|  |                                 |
|--|---------------------------------|
| Date adopted: 20 August 2017 (reviewed every year) |                                 |
| Date last reviewed: April 2019                     | Date of next review: April 2020 |

---

*The Awards Committee has the responsibility for evaluating nominations for Swimming Northland Service, Honours and Life Membership Awards and making recommendations for awarding them to the Board.*

---

**Procedures:**

1. Nominations may be made by Swimming Northland, a club or a member using the appropriate nomination forms which shall set out the background of such a nomination.
2. To be considered for any of these awards you must meet the criteria as outlined in Swimming Northland Awards Criteria in Appendix 1
3. The Board shall ratify the Award Committee's recommendations prior to the presentation of any awards.
4. These awards will be presented at the AGM following the close off date of nominations.

|   |                                |
|---|--------------------------------|
| Date adopted: 20 August 2017 (reviewed every 3 years) |                                |
| Date last reviewed: July 22 2019                      | Date of next review: July 2022 |

## Awards Presentation Policy

---

---

*An independent committee appointed by the SN Board will be responsible for nominating winners for the SN Annual Awards as per the Awards Criteria.*

---

### Procedures:

The Board shall:

1. Appoint two independent people to the Awards Committee – one of whom is the SN Recorder
2. Receive from the committee a list of nominated persons to be ratified prior to the Presentation event (4 weeks).
3. Ask the committee to establish a set of guidelines to include the Awards Criteria (attached) and the processes to be in place for the Presentation event (including a bio for the SN Swimmer of the Year)
4. Expect the committee to run the Presentation event
5. Expect the committee to inform the Administrator of award winners so clubs can be notified to enable winners to attend

|   |                                   |
|---|-----------------------------------|
| Date adopted: 15 October 2018 (reviewed every year) |                                   |
| Date last reviewed:                                 | Date of next review: October 2020 |

---

## **Athlete Policies**

---

## Swimming Northland Representative Policy

---

---

*A Northland Representative swimmer is recognised by qualifying and competing in a National Meet.*

---

|  |                                    |
|--|------------------------------------|
| Date adopted: 14 May 2014 (reviewed every 3 years) |                                    |
| Date last reviewed: November 2017                  | Date of next review: November 2020 |

## Eligibility for Swimming Northland Swimmers Awards Policy

---

---

*To be eligible for a swimming award a swimmer must:*

- 1. Be a New Zealand resident for the full season*
  - 2. Be a Northland registered competitive swimmer for the full season*
  - 3. Participate in club and regional carnivals*
  - 4. Have competed in Northland Age Groups Championship for that season (not including SN Long Distance or Sprint Champs)*
  - 5. Exception to this would be if a swimmer who is attached to SNZ High Performance Squad is unable to attend due to their commitments with SNZHP.*
  - 6. Be compliant with SNZ code of conduct*
- 

### **Procedures:**

The Board shall:

1. Ensure the Awards Sub-committee ensure that eligibility criteria is met for all award recipients
2. Define a full season as 1 July to 30 June

|  |                                |
|--|--------------------------------|
| Date adopted: 19 April 2017 (reviewed every 3 years) |                                |
| Date last reviewed: 22 July 2019                     | Date of next review: July 2022 |

## Eligibility to Hold a Northland Record Policy

---

---

*To be eligible to hold a Northland record a swimmer must:*

- 1. Have been registered with Swimming NZ for 6 months*
  - 2. Be a New Zealand resident*
  - 3. Be a registered competitive swimmer of Swimming Northland*
- 

### **Procedures:**

The Board shall:

1. Ensure record criteria is met when ratifying records and notify the recorder of any non-eligibility

|  |                                    |
|--|------------------------------------|
| Date adopted: 19 April 2017 (reviewed every 3 years) |                                    |
| Date last reviewed:                                  | Date of next review: February 2020 |



## Northland Shirts Policy

---

---

*Each swimmer who competes in their first national meet will be gifted a Swimming Northland shirt.*

---

### **Procedures:**

The Board shall:

1. Appoint an appropriate person to organise and co-ordinate embroidery of shirts at the Board meeting following the AGM.
2. Organise to collect names and sizes of shirts prior to event. Appropriate embroidery relating to National events will be added to the shirt free of charge and for all future National events qualified for and attended by the swimmer.
3. If additional shirts are required, they can be purchased at swimmer's expense

|  |                                    |
|--|------------------------------------|
| Date adopted: 19 April 2012 (reviewed every 3 years) |                                    |
| Date last reviewed: 23 November 2017                 | Date of next review: November 2020 |

## Northland Caps Policy

---

---

*Every Northland swimmer who competes in any national meet will be given one Swimming Northland branded cap per event.*

---

### Procedures:

The Board shall:

- Monitor cap stocks and order as required
- Ensure they are available for distribution at event

|  |                                 |
|--|---------------------------------|
| Date adopted: March 21 2019 (reviewed every 3 years) |                                 |
| Date last reviewed:                                  | Date of next review: March 2022 |

## Swimming out of Region Policy

---

---

*It is the expectation of the Board that swimmers give preference to Northland carnivals over out of region meets.*

---

### Procedures:

Swimmers shall:

1. Only need to notify Swimming Northland as per notification form of their intent to swim out of region. Permission is no longer required.
2. Need to ensure that one club notification per meet listing all swimmers attending is forwarded to Swimming Northland 3 weeks prior to that event.

|  |                                    |
|--|------------------------------------|
| Date adopted: 13 October 2007 (reviewed every 3 years) |                                    |
| Date last reviewed: November 2017<br>11 November 15    | Date of next review: November 2020 |

## International New Zealand Selection Grant Policy

---

---

*For a swimmer who is selected by Swimming NZ to represent NZ at an international meet, a one-off \$250 grant will be given per swimmer per season (1 July to 30 June).*

---

### Procedures:

The Board shall:

1. Ensure that to qualify for the grant that the swimmer is a current registered Northland swimmer and that the swimmer attends the event selected

|  |                                 |
|--|---------------------------------|
| Date adopted: 13 October 2016 (reviewed every 3 years) |                                 |
| Date last reviewed:                                    | Date of next review: April 2020 |

---

## **Team Manager/Technical Officials Policies**

---

## Regional Team Managers Remuneration Policy

---

---

*A remuneration of \$50 per day will be paid to the appointed Regional Team Manager.*

---

### Procedures:

If Swimming Northland has to appoint a Regional Team Manager who does not have a swimmer(s) attending the named National Meet the following will apply:

1. Managers accommodation of up to \$125.00 per day incl of GST will be paid
2. For Meets in Wellington and south a daily hire for a small rental car which is to be used for the sole purpose of transportation to and from the pool and return flights (at the cheapest airfare available at the time) will be paid
3. For Meets north of Wellington a petrol reimbursement will be made on the presentation of receipts
4. Where practical Swimming Northland will organise travel arrangements
5. Reimbursement will only be issued on Swimming Northland receiving receipts for costs incurred and a Regional Managers Report

|   |                               |
|---|-------------------------------|
| Date adopted: 13 October 2016 (reviewed every year) |                               |
| Date last reviewed: March 2019                      | Date of next review: May 2020 |

## Funding Policy

---

---

*Funding will be distributed to Regional Team Managers Technical Officials at National Meets when available.*

---

### Procedures:

Funding will be distributed in the following priority order:

1. Regional Team Managers \$50 per day at a NZ event (where RTM has a swimmer attending the meet)
2. Regional Team Manager as per Regional Team Manager Remuneration Policy when appointed RTM does not have a swimmer attending the meet
3. Swimming NZ appointed Technical Officials

|   |                               |
|---|-------------------------------|
| Date adopted: 13 October 2016 (reviewed every year) |                               |
| Date last reviewed: March 2019                      | Date of next review: May 2020 |

## Appointed Official Remuneration Policy

---

---

*Swimming NZ appointed Northland Technical Officials will receive remuneration for each meet they are appointed to and attend as per the Funding Policy.*

---

|   |                               |
|---|-------------------------------|
| Date adopted: 15 September 2016 (reviewed every year) |                               |
| Date last reviewed: March 2019                        | Date of next review: May 2020 |



---

## APPENDIX

---

## **APPENDIX 1 : Awards Criteria**

### **ELIGIBILITY FOR SWIMMER AWARDS**

- a. Will be a New Zealand resident for the full season.
- b. Will be Northland registered competitive for the full season.
- c. Will participate in club/regional carnivals and Northland Age Group Championships.

Exception to this would be if a swimmer who is attached to SNZ High performance Squad is unable to attend due to their commitments with SNZHP

- d. Will be compliant with Swimming New Zealand Code of Conduct.

### **SWIMMER AWARDS CRITERIA**

**1. Champion of Champions Trophy:** Points from Individual finals at the Northland Age and Northland Long Distance Championships. 1st = 5 points. 2nd = 3 points. 3rd = 1 point. Breaking Race Record = 1 point. Breaking Age Group record = 2 points. Maximum points per swim is 8. The 400m Individual Medley, 400m Freestyle and 200m Butterfly points are only awarded to the fastest three swimmers regardless of age.

**2. Martin Wilson Trophy:** For the swimmer who breaks a race record by the greatest percentage margin at the Northland Age Group Championships. If no record is broken the closest % margin to a race record (in a final) in 50m or 100m any stroke or the 200m Individual Medley wins.

**3. Michael Bond Memorial Cup:** For the fastest male swimmer in the Open 100m LC Butterfly for the season.

**4. M + B Cameron Trophy:** For the fastest female swimmer in the Open 100m LC Butterfly for the season.

**5. Lorraine Holmes Cup:** For the swimmer 12 yrs and under who gains most points in 50m & 100m Finals at Northland Age group Champs  
Points allocated 1st =5, 2nd =3, 3rd =1. Race Record 1 point. Northland Record 2 points.  
Total points possible per swim = 8

**6. Schon Cup:** For the fastest male swimmer in the Open 200m LC Freestyle for the season.

**7. A.J.Stentiford Cup:** For the fastest female swimmer in the Open 200m LC Freestyle for the season.

**8. Sub 4 Trophy Male:** For the fastest male swimmer in the Open 400m LC Freestyle for the season.

**9. Sub 4 Trophy Female:** For the fastest female swimmer in the Open 400m LC Freestyle for the season.

**10. The Monica Cooper Life Membership Trophy:** For the fastest male swimmer in the Open 200m LC Backstroke for the season.

- 11.** The Janet Froggatt Life Membership Trophy: For the fastest female swimmer in the Open 200m LC Backstroke for the season.
- 12.** The Maurice Fitchett Life Membership Trophy: For the fastest male swimmer in the Open 200m LC Individual Medley for the season.
- 13.** The Myra Larcombe Life Membership Trophy: For the fastest female swimmer in the Open 200m LC Individual Medley for the season.
- 14.** H. F. Crane Trophy: For the fastest female swimmer in the Open 200m LC Butterfly for the season.
- 15.** Marty Hampton Trophy: For the fastest male swimmer in the Open 200m LC Butterfly for the season.
- 16.** R & C Gillespie Family Dargaville Trophy: For the fastest female swimmer in the Open 200m LC Breaststroke for the season.
- 17.** R & C Gillespie Family Dargaville Trophy: For the fastest male swimmer in the Open 200m LC Breaststroke for the season.
- 18.** The Richard Dunkerton Life Membership Trophy: For the swimmer who earns the highest FINA points for an event at the New Zealand Age Group Championships.
- 19.** Mick Parr Memorial Trophy (nominated award): For the swimmer who not only competes but also contributes to club activities. eg Teaching-Timekeeping-Administration etc.
- 20.** Mark Cooper Trophy: For the swimmer who has the closest % margin to a New Zealand Age Group record at a National Meet.
- 21.** Gladys Bouma Life Membership Trophy: For the fastest male swimmer in the Open 400m LC Individual Medley for the season.
- 22.** Gaylene Martin Life Membership Trophy: For the fastest female swimmer in the Open 400m LC Individual Medley for the season.
- 23.** Dot Palmer Life Membership Trophy: For the fastest female swimmer in the Open 200m LC Butterfly for the season.
- 24.** Ann Bailie Life Member Trophy: For the fastest male swimmer in the Open 200m SC Butterfly for the season.
- 25.** Open Water Trophy. Female: For the fastest female swimmer in the Northland Open Water event. If not held the NZ Open Water Championships may be used.
- 26.** Open Water Trophy. Male: For the fastest male swimmer in the Northland Open Water event. If not held the NZ Open Water Championships may be used.
- 27.** Bruce Cooper Life Membership Trophy: For the fastest male swimmer in the Open 100m LC Backstroke for the season.
- 28.** Swimming Northland Trophy: For the fastest female swimmer in the Open 100m LC Backstroke for the season.
- 29.** Skip Peyman Life Membership Trophy: For the fastest male swimmer in the Open 100m LC Breaststroke for the season.

- 30. Swimming Northland Trophy:** For the fastest female swimmer in the Open 100m LC Breaststroke for the season.
- 31. Swimming Northland Trophy:** For the fastest male swimmer in the Open 100m LC Freestyle for the season.
- 32. Swimming Northland Trophy:** For the fastest female swimmer in the Open 100m LC Freestyle for the season.
- 33. Swimming Northland Trophy:** For the fastest male swimmer in the Open 100m Individual Medley for the season.
- 34. Swimming Northland Trophy:** For the fastest female swimmer in the Open 100m Individual Medley for the season.
- 35. Swimming Northland Trophy:** For the swimmer who earns the highest XLR8 points for an event at the New Zealand Junior Festival.
- 36. Swimming Northland Cup:** For the swimmer who breaks a Northland S.C. record by the largest percentage margin for the season.
- 37. Swimming Northland Cup:** For the swimmer who breaks a Northland LC record by the largest percentage margin for the season.
- 38. Jurisich Family Trophy –** for the Fastest Female swimmer in the open 50m LC Freestyle for the season
- 39. Honiss Family Trophy –** for the Fastest Male swimmer in the Open 50m LC freestyle for the season
- 40. Swimming Northland Trophy –** for the Fastest Female swimmer on the open 50m LC Backstroke for the season
- 41. Swimming Northland trophy –** for the Fastest Male swimmer in the Open 50m LC Backstroke for the season
- 42. Swimming Northland trophy –** for the Fastest Female swimmer on the Open 50m LC Breaststroke for the season
- 43. Swimming Northland trophy -** for the Fastest male Swimmer in the Open 50m LC Breaststroke for the season
- 44. McCahon Family Trophy –** for the Fastest Female Swimmer in the Open 50m LC Butterfly for the season
- 45. McCahon Family Trophy –** for the Fastest Male Swimmer in the Open 50m LC Butterfly for the season
- 46. Swimming Northland Award -** for Emerging official of the year. (as chosen by the Technical Committee)
- 47. Community Trust Foundation Shield: For the Administrator of the year (nominated award):** This recognises the contributions made by sports club members who

strive selflessly for the betterment of the sport they love. They are the quiet "grafters", the ones who get things done on time and in an efficient manner.

- In general terms this award will cover "office bearers" of clubs or organisations, i.e. secretary, treasurer, club captain, committee but does not include coaches.
- Will have demonstrated a commitment and dedication to the sport of their choice for a period of 12 months or more.
- Has shown some initiative or been innovative.

**48. Community Trust Foundation Shield: For the Coach of the Year (nominated award).** For outstanding performance/contribution by a coach over the past twelve months

- Has made outstanding contribution to a club working on development opportunities and programmes.
- Has coached a successful club team.
- Has coached in a club that has seen development of swimmer skills.
- Has worked on attaining coaching accreditation.
- Achieved results at the highest possible level with a swimmer or club team.

**49. Community Trust Foundation Shield: For the Official of the Year (nominated award).** Officials are deemed to be referees, timekeepers, judges of stroke etc.

- Has officiated willingly on a regular basis at Regional and/or National meets.
- Has mentored other officials at Regional level.
- Has worked on attaining recognition at Regional and/or National level.
- Has achieved the highest possible qualification and/or is an outstanding official.

**50. PARA Swimmer of the Year:** Swimmers with physical, visual or intellectual disabilities and who comply with Regulation 17.4 will be eligible. Nominations to Swimming Northland prior to April 15th. Where necessary the Awards Committee will be guided by PARA specialist officials.

**51. Junior Swimmer of the Year:** Achievement at the highest performance level for a swimmer of 12 yrs or under.

XLR8 points will be allocated over 3 events covering at least 2 strokes listed below that are swum during the current season.

Events are:

- 1 x compulsory 200m or 400m swim any stroke
- 1 x 100m any stroke
- 1 x any distance

**52. Swimmer of the Year:** Criteria – For the highest overall performance throughout the season at a Regional, National or International level. Consideration will be given to all relevant achievements. Sportsmanship and contribution to Swimming Northland will also be considered.

## **CLUB AWARDS CRITERIA**

**1. Crawford Woodman Relay Cup:** Clubs must enter a relay team consisting of one male and one female in each of the following age groupings, under 12yrs, 12 and 13yrs, 14 and 15yrs, and 16yrs or over. To be contested at the Northland Age Group Championships.

**2. O.W.Wright Shield:** For the Northland Club who gains the highest aggregate points from finals at the Northland Age Group and Long Distance Championships. Points for 1<sup>st</sup> = 5, 2<sup>nd</sup> = 3 and 3<sup>rd</sup> = 1. Points to be divided by the number of their entries for both meets

The FINA points system will be used to rank any other awards. eg Sport Northland Secondary School Sports Awards or Northland, Kaipara or Far North Sports Awards. (Note LC means Long Course and SC means Short Course.)

## **SERVICE, HONOURS AND LIFE AWARDS**

### **SERVICE AWARDS:**

7 years of outstanding continuous service or alternatively 9 years collective service for which they must have been registered members of the Association - not just long service.

### **HONOURS AWARDS:**

5 years after Service Award according to service given to Association. Provided that the holder has continued throughout that period to give service of the quality that earned the Service Award in the first place. In exceptional circumstances the Awards Committee may recommend both Service and Honours Awards in the same year.

### **LIFE MEMBERSHIP:**

Outstanding continuous service over a long period of time - not just long service. Must already hold both the Association Service and Honours Awards.

## **APPENDIX 2: SN Recorder Officer Duties**

### **Database & Records**

Maintain database of Northland swimmer results, uploading results after each carnival  
Maintain database of Northland records  
Prepare records report for Board after each carnival  
Prepare records certificates for swimmers breaking records  
Provide up to date records for SN website and end of season publications  
Maintain Team Manager and Meet Manager in up to date versions with current license and appropriate backup

### **Northland Meet preparation**

Create scheduled meet on SNZ database  
Create package of events for meet in Meet Manager program  
Load Meet Manager package into SNZ database for online entries  
Publicize Meet to Northland clubs  
Transfer entries to Meet Manager after close date  
Enter any manual entries through Team Manager  
Send out psych sheets for review  
Collect lists of available officials from clubs to provide to technical organizer  
Seed and create Meet program after any changes  
Insure all office equipment ready and operational  
Record on the day  
Send out results post Meet  
Prepare Meet approval documents in conjunction with referee and have Meet approved via SNZ  
Provide results to Take Your Marks database  
Provide entry report to SN treasurer

### **National Events**

Provide eligibility reports  
Enter any regional relays  
Collect information and produce regional team paperwork  
Provide entry lists pre and results post to Publicity Officer

### **Other**

Monitor out of region and national swims so that all results can be on Northland database  
Monitor SN Events email  
Answer email queries from clubs and swimmers

### **Events Committee Role**

Help to create Northland calendar  
Help to create Meet programs  
Help to organise Meet logistics for each Northland carnival  
Liase with clubs running carnivals to do the same

### **Awards Committee Role**

Help with winners of end of year SN awards by providing times, records, etc  
Help with external awards throughout the year by same



## **MEMBER PROTECTION POLICY**

**Swimming New Zealand Board Approved  
20 February 2015**



# **SWIMMING NEW ZEALAND MEMBER PROTECTION POLICY**

## **Table of Contents**

1. Introduction
2. Purpose of Policy
3. Who this Policy Applies To
4. Responsibilities of the Organisation
5. Individual Responsibilities
6. Definitions of Abuse and Harassment
7. Position Statements:
  - 7.1 Child Protection
  - 7.2 Taking Images/Videos of Children
  - 7.3 Electronic and Social Media/Networking
  - 7.4 Cyber Bullying/Safety
  - 7.5 Anti-discrimination & Harassment
  - 7.6 Sexual Relationships
  - 7.7 Pregnancy
  - 7.8 Gender Identity
  - 7.9 Responsible Service and Consumption of Alcohol
  - 7.10 Smoke Free Environment
  - 7.11 Anti-Doping and Illicit Drugs in Sport
  - 7.12 Other Relevant Policies
8. Complaints Procedures
  - 8.1 Complaints
  - 8.2 Improper Complaints & Victimisation
9. What is a Breach of this Policy
10. Working with Children Checking Requirements
  - 10.1 Screen and Vetting Requirements
11. Appendices
  - A. Form: Record of Complaint

## **Acknowledgements**

Swimming NZ would like to thank the following for their input into the SNZ Member Protection Policy:

- Swimming Auckland for permission to use their Child Protection Strategy: Platt, S., Hill, N., Walters, S., & Cole, D. (2011). Auckland Swimming Association: Child protection strategy. Auckland: Auckland Swimming Association
- Australian Sports Commission. (2013). *Member Protection Policy Template for National Sporting Organisations* (Vol. National Version 7): Australian Government.
- Platt, Susan, Senior Lecturer  
Faculty of Health & Environmental Sciences  
AUT University

## **1. INTRODUCTION**

Swimming is a sport that values teamwork, cooperation & leadership and one that can be enjoyed by people of all ages and abilities.

Swimming New Zealand is committed to ensuring that a diverse range of athletes continue to enjoy our sport for years to come and to providing a safe environment in which to do so.

Swimming New Zealand has developed this policy to reinforce its commitment to providing an environment for participants of all ages and backgrounds that is safe, free from harassment and abuse, and promotes respectful and positive behaviour and values.

The policy provides a code of conduct forming the basis of appropriate and ethical conduct which everyone must abide by. All Regional Associations and swimming clubs will also be required to adopt this policy.

This policy is an essential part of Swimming New Zealand's proactive and preventative approach to tackling inappropriate behaviour within our sport. Swimming New Zealand trust that all administrators, coaches, athletes and support staff will assist it promote safe and responsible behaviour within swimming.

## **2. PURPOSE OF POLICY**

The purpose of this Member Protection Policy ("policy") is to maintain ethical and informed decision-making and responsible behaviours within our sport. The policy aims to ensure our core values, good reputation and positive behaviours and attitudes are maintained. It assists us in ensuring that every person involved in our sport is treated with respect and dignity, and is safe and protected from abuse. This policy and the accompanying Code of Conduct and Disputes Policy informs everyone involved in our sport of his or her legal and ethical rights and responsibilities and the standards of behaviour that are required.

The policy attachments outline the procedures that support our commitment to eliminating discrimination, harassment, child abuse and other forms of inappropriate behaviour from our sport. As part of this commitment, Swimming New Zealand will take disciplinary action against any person or organisation bound by this policy if they breach it.

This policy:

- Has been made pursuant to the Constitution of Swimming New Zealand and has been endorsed by the Swimming New Zealand Board;
- Should be read in conjunction with the Swimming New Zealand Code of Conduct and Disputes & Disciplinary Policy; and
- Will operate until replaced or rescinded.
- This policy and/or its attachments may be amended from time to time by resolution of the Swimming New Zealand Board. Copies of its attachments may be obtained from our website ([www.swimmingnz.org.nz](http://www.swimmingnz.org.nz)).

## **3. WHO THIS POLICY APPLIES TO**

This policy applies to the following people, unless they have varied their agreement with Swimming New Zealand by consenting to be bound by a Policy which complements or supersedes this policy, whether they are in a paid or unpaid/voluntary capacity:

- Swimming New Zealand;
- Any other person or organisation that is a member of or affiliated to Swimming New Zealand;
- Persons appointed or elected to Swimming New Zealand's Board, committees and sub-committees;
- Employees and volunteers of Swimming New Zealand and organisations affiliated to Swimming New Zealand;
- Support personnel appointed or elected to Swimming New Zealand teams and squads (e.g. managers, physiotherapists, psychologists, masseurs, sport trainers, etc);
- National coaches and assistant coaches;
- Athletes, including national representative athletes;
- Technical Officials, including referees, and other officials involved in the regulation of the sport;
- Athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by Swimming New Zealand; and
- Parents, guardians, spectators and sponsors to the full extent that is possible, including where spectators, parents/guardians and sponsors, who or which agree in writing (whether on a ticket, entry form or otherwise) to be bound by this policy);

This policy also applies to and shall be adopted by Swimming New Zealand's Member Regional Associations, Affiliated clubs and associated organisations.

*Member associations are required to adopt and implement this policy and to provide proof to Swimming New Zealand of the approval of the policy by the relevant Board in accordance with its Constitution. Member Associations must also undertake to ensure that affiliated Clubs and individual Members are bound by this policy and are made aware of this policy and of its contents.*

This policy will continue to apply to a person even after they have stopped their association or employment with Swimming New Zealand if disciplinary action, relating to an allegation against that person, has commenced prior to that person ceasing their association with Swimming New Zealand.

#### **4. RESPONSIBILITIES OF THE ORGANISATION**

Swimming New Zealand, its Regional Associations and member clubs must:

- 4.1 Adopt, implement and comply with this policy;
- 4.2 Make such amendments to its/their Constitution, Rules or Policies necessary for this policy to be enforceable;
- 4.3 Publish, distribute and promote this policy and the consequences of breaches;
- 4.4 Promote and model appropriate standards of behaviour at all times;
- 4.5 Promptly deal with any breaches or complaints made under this policy in a sensitive, fair, timely and confidential manner;
- 4.6 Apply this policy consistently;
- 4.7 Recognise and enforce any penalty imposed under this policy;
- 4.8 Ensure that a copy of this policy is available or accessible to the persons and associations to whom this policy applies;
- 4.9 Use appropriate people to receive and manage complaints and allegations [e.g. the Child Protection Advisor (CPA)];
- 4.10 Monitor and review this policy from time to time as appropriate.

## **5. RESPONSIBILITIES OF THE INDIVIDUAL**

Individuals bound by this policy are responsible for:

- 5.1 Making themselves aware of this policy and complying with its standards of behaviour;
- 5.2 Placing the safety and welfare of children above other considerations;
- 5.3 Being accountable for their own behaviour;
- 5.4 Follow the procedures outlined in this policy regarding child protection concerns;
- 5.5 Co-operating in providing a discrimination, child abuse and harassment free sporting environment;
- 5.6 Understand the possible consequences of breaching this policy; and
- 5.7 Comply with any decisions and/or disciplinary measures imposed pursuant to this policy.

## **6.0 DEFINITIONS OF ABUSE & HARASSMENT**

Swimming New Zealand considers the following definitions and examples of abuse and harassment applicable to all its members.

### Physical Abuse

Physical abuse is any act that results in inflicted injury to a person. Injuries caused through abuse/neglect are known as non-accidental injury. They may include, but are not restricted to:

- Shaking, hitting, kicking, throwing, burning, or, training methods that are inappropriate for the age and physiological development of the athlete. Any strength training should be used with extreme caution as it can be harmful if not conducted appropriately.

### Sexual Abuse

Sexual abuse is any act or acts that result in the sexual exploitation of a person whether consensual or not. It may be perpetrated by an adult, older child or similar aged athlete. It may include, but is not restricted to:

- Non-contact abuse such as: exhibitionism, suggestive behaviours or comments; exposing children to any obscene or inappropriate material or images; and
- Contact abuse such as: touching breasts, genital areas or any inappropriate contact;

### Emotional/Psychological Abuse

Emotional abuse is any act or omission that results in impaired psychological, social, intellectual and/or emotional functioning and development of a person. It may include, but is not restricted to:

- Rejection or isolation; inappropriate or continued criticism, threats, humiliation or accusations of the child or young person; exposing children to, or involvement in anti-social or illegal activities; bullying actions such as sarcasm, persistent teasing, tormenting.

### Neglect

Neglect is any act or omission that results in impaired psychological functioning, injury and/or development of a person. It may include, but is not restricted to:

- Failing to provide medical care when necessary; neglectful supervision, defined by failure to provide developmentally appropriate supervision of the child or young person or athlete, leading to increased risk of harm; abandonment – leaving a child or young person in a situation without arranging necessary care for them and with no intention of returning.

### Sexual Harassment

Sexual harassment is described as 'unwanted, unwelcome or uninvited sexual attention'. Some of the behaviours that lead to sexual harassment are, but not limited to:

- Someone who draws another person into emotional intimacy through developing inappropriate friendships; someone who is coercive about their rights to demand favours from children; inappropriate flattery; someone who is coerced into divulging personal information; jokes; display of offensive material; or propositions.

## **7. POSITION STATEMENTS**

### **7.1 Child Protection**

Swimming New Zealand and its affiliated regions have a responsibility to ensure that appropriate policies and procedures are established to safeguard all children and its members from any threat of or form of abuse or harassment while participating in any aspect of our sport. For the purpose of this Child Protection Position Statement, children are defined as under 18 years of age.

The purpose of having a Child Protection Position Statement is to provide regions, clubs, coaches, administrators, officials, volunteers and parents/supporters with good practice information about child protection in swimming in New Zealand.

The responsibility for safeguarding athletes, children and young people lies with all adults who play a role in their lives. This refers to all who work directly and indirectly with children, including those responsible for the administration and coordinating of the swimming environment.

Swimming NZ aims to foster an environment within the sport that ensures the safety and wellbeing of all members. An awareness of the Child Protection Position Statement amongst all involved with children and young people in swimming also assists in reducing risk to swimming organisations, coaches, officials, volunteers and parents/supporters.

Adults should at all times establish and maintain appropriate professional boundaries in their relationships with athletes.

### CHILD PROTECTION ADVISOR (CPA)

Swimming New Zealand will have a Child Protection Advisor appointed. The CPA is someone who has a professional background or experience in child protection issues and is the point of contact for anyone who has concerns or, would like to discuss an issue around child safety as it relates to Child Protection as described in this Position Statement. Anyone who has a child safety concern is able to bypass the CPA and go directly to Child, Youth and Family (CYF) or the Police at any time.

### PRACTICE GUIDELINES

*Good practice amongst coaches, officials and volunteers means:*

- The safety and wellbeing of children/young people must be paramount at all times;
- Athletes are treated with dignity and respect;
- Good practice is promoted to reduce the possibility of abusive situations;
- Always working in an open environment avoiding private or unobserved situations and encouraging open communication;
- At camps or 'away/out of town' meets, adults should never enter children's rooms or invite children/young people into their room (other than the child's parents/caregivers) in the absence of other children;
- Concerns regarding safeguarding children/young people are referred and dealt with according to the steps within this Position Statement;

- Securing parental consent in writing to act in *loco parentis*, if the need arises to administer emergency first aid and/or other medical treatment;
- Ensuring any form of abuse or sexual harassment directed at a child from others, whether this is from another child or adult, is challenged and reported to the Child Protection Advisor;
- Knowing and understanding the Child Protection Position Statement as part of Swimming NZ Member Protection Policy; and
- Where a coach believes it is necessary to touch an athlete in order to correct technique, it is important that they:
  - Consult with the parent/caregiver if present; and/or
  - Ensure the child is made aware of the purpose of the contact and gives consent; and/or
  - Consider the appropriateness of the ways in which technique is corrected involving touch.

*All coaches, officials and volunteers must ensure:*

- They never take, or are in the presence of, children/young people in secluded places where they will be alone, irrespective of gender.
- Where ever possible should not share a room with a child other than their own;
- They never deliberately reduce a child/young person to tears as a form of control;
- They never deliberately do something to make someone feel diminished or embarrassed;
- They never use inappropriate language, or allow other children to use inappropriate language unchallenged (e.g. swearing, name calling/put downs, sarcasm, innuendo, sexualised connotations, culturally or racially offensive comments);
- They never leave a pool or training venue before all swimmers have been collected or are continuing to be supervised by appropriate adults;
- They never cause a swimmer to lose self-esteem by embarrassing, humiliating or undermining the individual;
- They never yell or shout at swimmers as a reprimand or in response to anger;
- 
- They never make sexually suggestive comments or actions to, or in the vicinity of a child/young person, even in fun;
- They never engage in rough, physically or sexually provocative games; and
- They never engage in, or allow unchallenged, any form of abuse or sexual harassment as described in this Position Statement.

The relationship between coaches/club officials who hold a position of trust and responsibility with athletes, particularly, but not limited to those under 18 years, must be professional and appropriate at all times.

#### HANDLING CONCERNS/DISCLOSURES

As a trusting adult, disclosures of abuse or sexual harassment may be made to you by the person affected or another person or, you may directly observe concerning behaviour. The following is a guide to handling disclosures or concerning observations:

- If you have observed behaviour by another person to a child that causes you concern, you do not have to discuss this with the child/young person but can contact the Child Protection Advisor to seek advice. Your name will be kept confidential from those whom you are reporting concerns about;
- At any time, you are able to bypass the Child Protection Advisor and report your concerns directly to Child, Youth & Family (0508 326 459) or the Police. You are not required to provide your name or details should you do this, however, if you do, they will be kept confidential by these agencies;

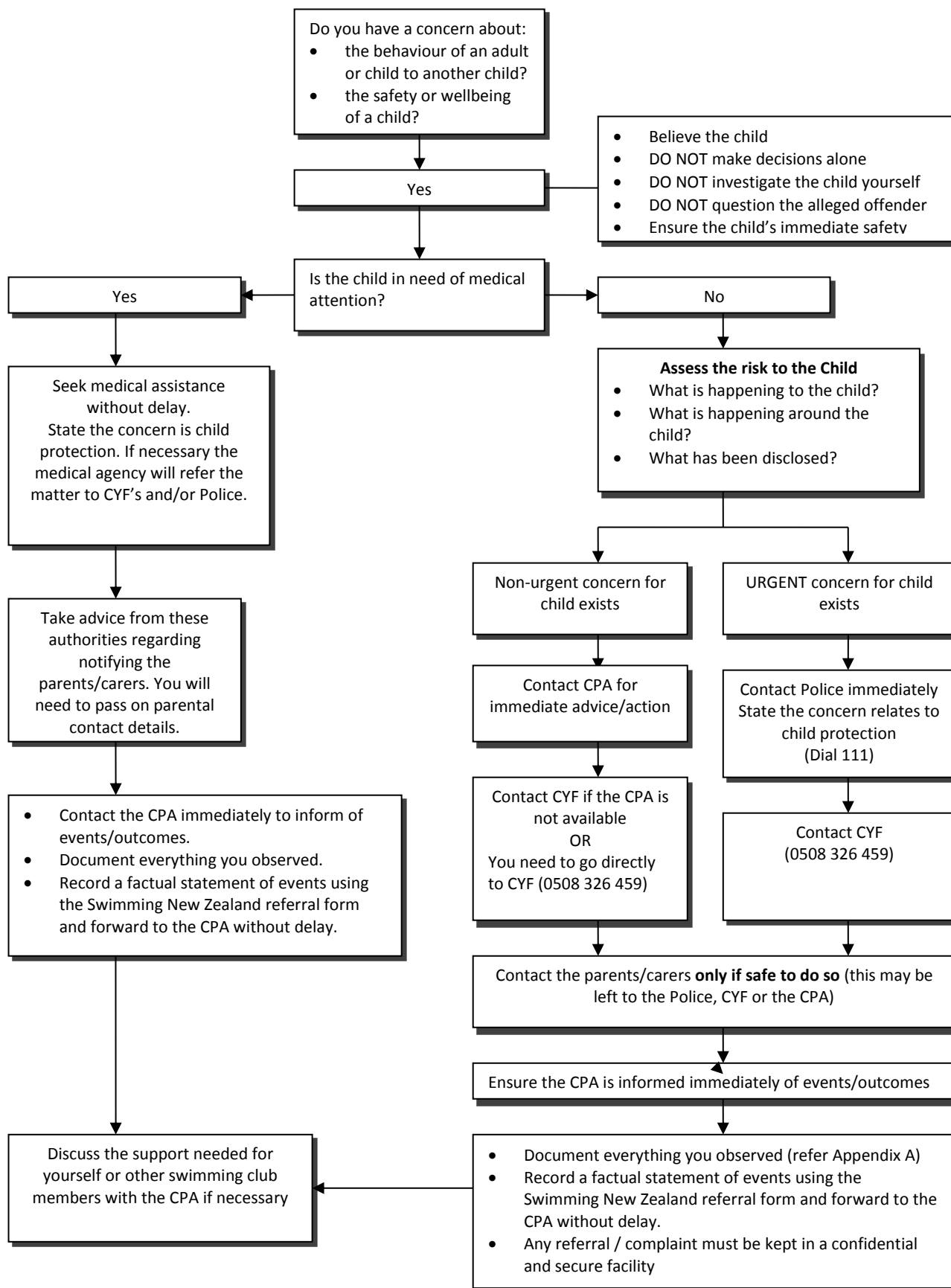
#### LEGAL/PRIVACY ISSUES

When disclosures or observations of child abuse are made that fall in the remit of this Child Protection position statement, those to whom disclosure is made are required in all circumstances to follow the procedures outlined. All those involved in dealing with issues of Child Protection are required to respect the provisions of confidentiality which relate to their responsibility. The Privacy Act 1993 and the Health Information Privacy Code 1994 authorises disclosure of information necessary to prevent or lessen serious and imminent harm to any individual (to the extent necessary) to statutory social workers or the Police.

The Children, Young Persons and their Families Act 1989 also gives way to privacy under certain circumstances. These deal with the reporting of child abuse (Section 15) and protection of an individual from proceedings (disciplinary, civil and criminal) when disclosing child abuse to either a Child, Youth and Family (CYF) social worker or the Police (Section 16).

Upon request, information can or must be released to a CYF social worker, police officer or care and protection coordinator (Section 66 CYF Act 1989).

## GUIDELINES FOR RESPONDING TO CHILD PROTECTION CONCERNS





## **7.2 Taking Images/Videos of Children**

There is the potential for images or videos of children to be used inappropriately or illegally. Any devices that have the ability to take/record images or videos are included in this Position Statement, including the use of telescopic or zoom lens.

It is possible for images or video to be taken with any device without the knowledge of the subject. Swimming New Zealand requires all its members to be vigilant in changing rooms and other areas of the pool and to report immediately any concerns arising from the taking or recording of images or video. Swimming New Zealand disallow the use of camera phones, videos and cameras inside changing areas, showers and toilets.

Always be vigilant for people who don't appear to be relatives or friends of those who are swimming, but seem to spend a lot of time videoing or taking images of them. Report these incidents to the organisers or the pool management immediately.

Swimming New Zealand encourages that all individuals and associations, wherever practicable, obtain the permission from a child's parent/guardian before taking an image or video of a child that is not their own. Taking an image or video of a medal or award presentation or a team photo are exceptions to this requirement to seek permission as are videoing or livestreaming for broadcasting events and the taking of media photographs.

Parental photography forms an enduring part of each family's record of their child's progress, celebration of success and achievement and is an established social practice.

In the interest of protection of your son/daughter, while Swimming New Zealand recognises parents/caregivers may want to take images or video of their son/daughter, spectators wishing to do this must be aware that:

- They may be asked to cease using photographic or video devices by an official; and
- They may be required to seek consent directly with their club for photographic/video use outside of swimming meets, e.g. training sessions, camps etc.

The athlete of the parent/caregiver wishing to record images/video must be the main subject in the images/video. No images or videos are to be taken of other children as the main subject without appropriate consent.

No images or videos of children should be uploaded onto any electronic device or website by any person without the consent of the parent/caregiver if the child is less than 18 years.

If Swimming New Zealand or its Regional Associations or Member Clubs use an image of a child they will not display personal information such as residential address, email address or telephone numbers without gaining consent from the parent/guardian. They will not display any information about hobbies, likes/dislikes, school, etc as this information can be used as grooming tools by paedophiles or other persons. They will only use appropriate images/videos of a child relevant to our sport and ensure that the child is suitably clothed in a manner that promotes the sport, displays its successes, etc. where possible they will seek permission to use these images.

#### Official Photographers/video operators

Official event photographers wishing to take either photographs or video at Swimming New Zealand events must seek accreditation and produce their professional identification for their details to be recorded.

Official event photographers wishing to take either photographs or video at Regional swimming events must seek accreditation with the Region and produce their professional identification for their details to be recorded.

Ideally this should be requested at least five working days before an event. Parental consent must still be given for use of images for promotional purposes and these images/video must be stored securely.

#### Swimming New Zealand Affiliated Regions and Clubs

If you are wishing to take photographic or video images of your regional or club swimmers to make your region or club known either externally or internally, it is recommended you:

- Attempt to seek consent from the athlete and/or the parent/caregiver if the subject is under 18 years;
- State clearly the intended purpose/use of the images;
- Confirm whether you intend to publish the athletes names alongside the image; and
- Securely store the photography or video and annotate them with the date they were taken.

It is important to note that an athlete may be under an external agency's protection order that may not be known to another parent, coach, volunteer or official photographer. Images of this nature may compromise the safety of the person the images are of.

### **7.3 Electronic & Social Media/Networking Policy**

Swimming New Zealand acknowledges the enormous value of social networking websites, such as (but not limited to) Facebook and Twitter, to promote our sport and celebrate the achievements and success of the people involved in our sport.

We expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport.

Social media postings, blogs, status updates and tweets:

- must not use offensive, provocative or hateful language;
- must not be misleading, false or injure the reputation of another person;
- should respect and maintain the privacy of others; and
- 

#### Children and Electronic & Social Media/Networking

Many children and young people communicate using electronic and social networking platforms, of which many modalities are available to them. Ideally, communication should be conducted between the coach/another adult and the parent of the child, however, if you need to communicate directly with the child/athlete, you need to observe the cautions stated below.

Swimming New Zealand recommends the following cautions:

- If coaches use phone text or any other social networking means to communicate directly with athletes of any age, content remains brief and functionally related to swimming and avoids any social comment;
- Any electronic communication by a coach with an athlete of any age remains professional but brief;
- Do not include personal information of yourself or others in social media channels;
- Do not use offensive, provocative or hateful language or images;
- Use your best judgement – do not publish something that makes you feel the slightest bit uncomfortable and, never write/publish if you are feeling emotional or upset (or are intoxicated);
- Always ask for a person's permission before posting their picture on a social networking forum;
- Never comment on rumours, do not deny or affirm them or speculate about rumours; and
- Always use electronic and social network forums to add value and promote the sport in a positive way.

### **7.4 Cyber Bullying/Safety**

Swimming New Zealand regards bullying and harassment in all forms as unacceptable in our sport. Bullying has the potential to cause great anxiety and distress to the person targeted by hurtful or derogatory comments or statements.

New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied though unwanted and inappropriate comments. Swimming New Zealand will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. In some cases, bullying is a criminal offence.

Frustration at a referee, teammate, coach or sporting body should never be communicated on social networking websites.

*If children are involved in suspected Cyber Bullying/Safety issues, either as the perpetrator or victim, please refer to Child Protection (7.1) in this Membership Protection Policy for the appropriate follow up and management.*

## **7.5 Anti-discrimination and Harassment**

Swimming New Zealand aims to provide a sport environment where all those involved in its activities are treated with dignity and respect and, harassment or discrimination.

Swimming New Zealand recognises that all those involved in its activities cannot enjoy themselves, perform to their best or be effective or fully productive if they are being treated unfairly, discriminated against or harassed because of their age, disability, family responsibilities, gender identity, homosexuality or sexual orientation, medical, marital status, political belief, pregnancy or breastfeeding, race, religion, gender or social origin.

Swimming New Zealand opposes all forms of harassment, discrimination and bullying. This includes treating or proposing to treat someone less favourable because of a particular characteristic, imposing or intending to impose an unreasonable requirement, condition or practice which has an unequal, disproportionate effect of people with a particular characteristic; or any behaviour that is offensive, abusive, belittling, intimidating or threatening – whether this is face-to-face, indirectly or via communication technologies such as mobile phones and computers.

*If children are involved in your concerns around discrimination or harassment as either the perpetrator or victim, please refer to Child Protection (7.1) in this Membership Protection Policy for the appropriate follow up and management.*

## **7.6 Sexual Relationships**

Swimming New Zealand takes the position that consensual intimate relationships (whether or not of a sexual nature) between coaches and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach and the athlete.

If an athlete attempts to initiate an intimate sexual relationship with a coach, it is the coach's responsibility to discourage the approach and to explain why such a relationship is not appropriate.

The coach or athlete may wish to seek advice or support from another adult if they feel harassed. Our complaints process is outlined in 8.1 of this policy.

*If children are involved in your concerns around sexual relationships as either the perpetrator or victim, please refer to Child Protection (7.1) in this Membership Protection Policy for the appropriate follow up and management.*

## **7.7 Pregnancy**

Pregnant women should be treated with respect and any unreasonable barriers to their full participation in our sport should be removed.

Swimming New Zealand recommends that pregnant women wanting to participate in our sport consult with their medical advisors to ensure they make informed decisions about participation. Pregnant women should be aware that their own health and wellbeing, and that of their unborn children, should be of the utmost importance in their decision making about the way they participate in our sport.

### **7.8 Gender Identity**

Everyone bound by this policy must treat people who identify as transgender fairly and with dignity and respect. This includes acting with sensitivity and respect where a person is undergoing gender transition. Swimming New Zealand will not tolerate any unlawful discrimination or harassment of a person who identifies as transgender or transsexual or who is thought to be transgender.

Swimming New Zealand recognises there is debate over whether a male to female transgender person obtains any physical advantage over other female participants. If issues of performance advantage arise, Swimming New Zealand will seek advice on the application of those laws in the particular circumstances.

Swimming New Zealand is aware that the International Olympic Committee (IOC) has established criteria for selection and participation in the Olympic Games. Where a transgender person intends competing at an elite level, we will encourage them to obtain advice about the IOC's criteria which may differ from the position taken by Swimming New Zealand.

### **7.9 Responsible Service and Consumption of Alcohol**

Swimming New Zealand is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol.

In general, our position that:

- Event hosts must prevent drunkenness, minors accessing liquor, and understand that irresponsible liquor practices lead to problems both on and off the premises.
- Food and low-alcohol and non-alcoholic drinks should be available at events we hold or endorse where alcohol is served; and
- Safe transport options should be considered as part of any event held where alcohol is served.
- Alcohol-free social events should be provided for young people and families;

### **7.10 Smoke Free Environment**

Swimming New Zealand is committed to conducting sporting and social events in a manner that promotes a smoke free environment.

The following policies should be applied to sporting and social events:

- No smoking shall occur at or near any sporting event or competition involving persons under the age of 18 years. This policy shall apply to coaches, athletes, officials and volunteers; and
- Social functions shall be smoke free.

### **7.11 Anti-Doping and Illicit Drugs in Sport**

Swimming New Zealand has adopted the Sports Anti-Doping Rules (as amended from time to time by the Board of Drug Free Sport New Zealand) and the FINA anti-doping rules as its anti-doping policy.

Swimming New Zealand is committed to providing a drug-free sport in which members can compete. Breaches of the Sports Anti-Doping Rules shall be dealt with in accordance with those Rules.

This position statement is designed to help prevent the uptake of illicit drug use and reduce the drug-related harm to individuals, families and stakeholders of Swimming New Zealand and the broader community

Some illicit drugs may be legitimately used under the supervision of a physician for a clinically justified purpose and then only if approved by Swimming New Zealand or Drug Free Sport NZ for each specific application. If you are using a prohibited substance for a legitimate reason and wish to compete you should obtain a Therapeutic Use Exemption from Drug Free Sport NZ. The possession and use of illicit drugs is subject to New Zealand laws.

### **7.12 Other Relevant Policies**

Some of the policies which contribute to the welfare of all those involved in our activities include:

- Code of Conduct; and
- Disputes Policy and Disciplinary Policy

## **8. COMPLAINTS PROCEDURES**

### **8.1 Complaints**

The lowest level at which a matter can be dealt with should always be preferred. Therefore, if a complaint or issue of concern is related to behaviour or an incident that occurred at club, regional or national level, then this should be reported to and handled in the following manner:

- a) In the first instance, the relevant club;
- b) If not resolved at club level, then the relevant regional association; and
- c) If not resolved at regional level, the national body in accordance with the Swimming New Zealand Constitution or other relevant policies or guidelines

A complaint or issue of concern is constituted when submitted in writing. Complaints submitted in writing should preferably follow the form in Appendix A. It is recognised that when complaints are of a highly sensitive nature, it may be required to preserve the anonymity of the complainant.

This record and any notes must be kept in a confidential and safe place. If the complaint is of a serious nature, or is escalated to and/or dealt with at the national level, the original must be forwarded to your Club or Regional Association (whatever level the complaint was made).

Swimming New Zealand has a Disputes & Disciplinary Policy which may be used ONLY if the dispute cannot be resolved at club or regional level. This policy is a resource used as a last resort when issues cannot be resolved at either club or regional level. Every effort must be made to persist in resolving your complaints at club, or if needed, regional level BEFORE referring to the Disputes & Disciplinary Policy. If you cannot provide evidence that you have persistently

attempted to resolve your concerns at club and/or regional level, you will be directed back to either of these levels as deemed appropriate.

Only matters that relate to or occur at the national level and the most serious cases from club and regional level are dealt with under the Disputes & Disciplinary Policy – see the policy for when it applies.

Disputes should be resolved at the lowest level practicable. However, a club or region should consider whether it should advise its region, in the case of a club, or Swimming New Zealand, in the case of a region, of the dispute to they can provide any advice they may have and be prepared for any media or other enquiries they receive.

All referrals under the Disputes & Disciplinary Policy will be dealt with promptly, seriously, sensitively and confidentially.

If the concern or safety of children is involved in a proposed complaint, either as the perpetrator or victim, please refer to Child Protection (7.1) in this Membership Protection Policy for the appropriate follow up and management.

## **8.2 Improper Complaints & Victimisation**

Swimming New Zealand aims for any complaints to have integrity and be free of unfair repercussions or victimisation against the person making the complaint. If at any point in the complaints process a complainant has knowingly made an untrue complaint or the complaint is malicious or intended to cause distress to the person complained of, the matter may be dealt with as a disciplinary matter under the Disputes & Disciplinary Policy.

## **9. WHAT IS A BREACH OF THIS POLICY?**

It is a breach of this policy for any person or organisation to which this policy applies, to do anything contrary to this policy, including but not limited to:

- Failing to follow Swimming New Zealand policies (including this policy) and procedures for the protection, safety and welfare of children;
- Discriminating against, harassing or bullying (including cyber bullying) any person; and
- Victimising another person for reporting a complaint.

Breaches of this policy shall be dealt with under the Swimming New Zealand Disputes & Disciplinary Policy.

## **10. WORKING WITH CHILDREN CHECKING REQUIREMENTS**

Child abuse is illegal and all complaints to the Police and/or Child, Youth and Family (CYF) result in an investigation which can result in criminal charges.

New Zealand is currently making significant changes in order to improve the safeguarding of children through legislation and policy. Standard screening and vetting procedures to safeguard children from those who wish to access children through sport should be seen as best practice.

### **10.1. Screening and Vetting Requirements**

Child abusers often seek to work with children. Robust and consistent screening and vetting will help you assess whether people are suitable to work with children. As the new legislation comes into effect, screening and vetting

processes will become mandatory for government funded contractors working with children. Therefore, this is not just a Swimming New Zealand requirement; it may be a legal requirement.

The following outlines the Screening and Vetting processes for Paid or unpaid employment of coaches and, the appointment of team managers for away meets. Swimming New Zealand, Regional Associations and Member Clubs are required to:

- Carry out an Identity Verification – this is where proof is required for people to verify who they say they are, including previous identities;
- Check a person's referees (verbal or written) about his/her suitability for the role;
- If there is any uncertainty as to suitability arising from the checking, check with the Child Protection Advisor if the person is suitable to work with children (they will only be allowed to provide a 'yes' or 'no' as they are bound by Privacy Laws in regards to discussing further detail);
- Obtain a signed consent form from the applicant for a check of Justice records.
- Undertake the check of Justice records;
- Make an assessment as to whether the person may be unsuitable to work with people under the age of 18 years if the person doesn't agree to a records check after explaining why it is a requirement of our policy. If unsatisfied, do not appoint them;
- This information should be updated and reassessed every three years;
- Protect the privacy of the person who is checked and maintain confidentiality of any information obtained through the checking process; and
- Return all information or paperwork to the person if they are not appointed.

Those who have conviction(s) for child sex offences or violent crimes against children are not permitted to work with children affiliated to Swimming New Zealand.

*Note: Clubs may be required to provide written assurances to their Regional Association and Swimming New Zealand that they have carried out the Screening and Vetting processes for those acting as coaches or team managers at away meets conducted by Regional Associations or Swimming New Zealand.*



## Appendix A

### RECORD OF COMPLAINT

|   |  |   |
|---|--|---|
| Complainant's Name  | <input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18   | Date Formal Complaint Received:    /    / |
| Complainant's Contact Details   | Phone:<br>Email:<br>Regional Association:<br>Club / Swim School:   |   |
| Child's Contact Details<br>(If Applicable)  | Name:<br>Regional Association:<br>Club / Swim School / School:   |   |
| Complainant's Role / Status   | <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent<br><input type="checkbox"/> Athlete <input type="checkbox"/> Spectator<br><input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel<br><input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other<br><input type="checkbox"/> Official .....   |   |
| Name Of Person Complained About (Respondent)                                      | Name:<br>Regional Association:<br>Club / Swim School:<br><input type="checkbox"/> Over 18 <input type="checkbox"/> Under 18  |   |
| Respondent's Role / Status  | <input type="checkbox"/> Administrator (volunteer) <input type="checkbox"/> Parent<br><input type="checkbox"/> Athlete <input type="checkbox"/> Spectator<br><input type="checkbox"/> Coach/Assistant Coach <input type="checkbox"/> Support Personnel<br><input type="checkbox"/> Employee (paid) <input type="checkbox"/> Other<br><input type="checkbox"/> Official .....   |   |
| Nature Of Notification  | <input type="checkbox"/> Formal <input type="checkbox"/> Informal  |   |
| Nature Of Complaint<br>(Category/Basis/Grounds)<br><br>Can tick more than one box | <input type="checkbox"/> Harassment <input type="checkbox"/> Discrimination <input type="checkbox"/> Unfair decision<br><input type="checkbox"/> Sexual/sexist <input type="checkbox"/> Selection dispute <input type="checkbox"/> Coaching methods<br><input type="checkbox"/> Sexuality <input type="checkbox"/> Personality clash <input type="checkbox"/> Verbal abuse<br><input type="checkbox"/> Race <input type="checkbox"/> Bullying <input type="checkbox"/> Physical abuse<br><input type="checkbox"/> Religion <input type="checkbox"/> Disability <input type="checkbox"/> Victimisation<br><input type="checkbox"/> Pregnancy <input type="checkbox"/> Child Abuse<br><input type="checkbox"/> Other ..... |   |
| Date Of Alleged Incident  |  |   |
| Location Of Alleged Incident  | <input type="checkbox"/> Competition <input type="checkbox"/> Other<br><input type="checkbox"/> Training .....   |   |

|   |  |
|---|--|
| <p>Description Of Alleged Incident. Facts As Stated By Complainant</p> <p>(Please use separate sheet if required)</p> |  |
| <p>Witnesses</p>  | <p>Name (1):</p> <p>Contact details:</p> <p>Name (2):</p> <p>Contact details:</p> <p>Name (3):</p> <p>Contact details:</p> |
| <p>Interim Action Taken (If Any) Of Attempted Informal Resolution, Or To Ensure Child's Safety</p>                    |  |
| <p>Government Agency Contacted</p> <p>(if applicable)</p>   | <p>Who:</p> <p>When:</p> <p>Advice Provided:</p>   |
| <p>Complainant:</p>   | <p>Name:</p> <p>Signature: / /</p>   |

This record and any notes must be kept in a confidential and safe place. If the complaint is of a serious nature, or is escalated to and/or dealt with at the national level, the original must be forwarded to your Club or Regional Association (whatever level the complaint was made).

# Swimming New Zealand Disputes & Disciplinary Policy

---

## 1. Title

### 1.1 The Policy:

- (a) Is made by the Board under rule 21 of the Constitution;
  - (b) Shall be called be the Swimming New Zealand Disputes & Disciplinary Policy (“Disputes & Disciplinary Policy”).
- 

## 2. Definitions

### 2.1 In this Disputes & Disciplinary Policy, the following words have the following meanings:

- (a) **Anti-Doping Rule Violation** has the meaning given by the Sports Anti-Doping Rules;
  - (b) **Board** means the board of Swimming New Zealand as defined by the Constitution;
  - (c) **Board Member** means a member of the Board of Swimming New Zealand;
  - (d) **Code of Conduct** means the Swimming New Zealand Code of Conduct ordered by the Board and as amended by the Board from time to time;
  - (e) **Constitution** means the constitution of Swimming New Zealand in force and as amended from time to time;
  - (f) **CPA** means Child Protection Advisor appointed by Swimming New Zealand;
  - (g) **FINA** is the international governing body for swimming;
  - (h) **GM** means a general meeting of Swimming New Zealand called in accordance with the Constitution, whether an AGM or SGM;
  - (i) **Member** has the meaning given by the Constitution;
  - (j) **Member Protection Policy** means the Swimming New Zealand Member Protection Policy ordered by the Board as amended from time to time;
  - (k) **Panel** means the panel formed by the CEO under rule 8.1;
  - (l) **President** means the President of Swimming New Zealand;
  - (m) **Regional Association** has the meaning given by the Constitution;
  - (n) **ST** means the Sports Tribunal of New Zealand.
-

### 3. Objectives

3.1 The Objectives of the Disputes & Disciplinary Policy are:

- (a) To determine alleged breaches of the Code of Conduct;
- (b) To determine alleged breaches of the Member Protection Policy;
- (c) To resolve disputes that arise between Members;
- (d) To make decisions on appeals by a Member against a decision of a Regional Association or Member Club involving suspension, expulsion, penalty or material detriment to the Member.

---

### 4. When this Disputes & Disciplinary Policy Applies

4.1 **Resolution in Region at first instance:** Subject to rules 4.2 and 4.2(e) below, it is the intention that alleged breaches of the Code of Conduct, Member Protection Policy, or disputes between Members shall be dealt with in the first instance by the Regional Association whose Member is in breach or between whose Members the dispute has arisen.

4.2 In relation to alleged breaches of the Code of Conduct and Member Protection Policy, this Disputes & Disciplinary Policy shall only apply where:

- (a) The alleged breach is by a member of the Swimming New Zealand High Performance programme; or
- (b) The alleged breach is by a person who is not a member of a Regional Association;
- (c) The alleged breach relates to a complaint made under the Code of Conduct or Member Protection Policy which the complainant knew was untrue;
- (d) The Regional Association who has jurisdiction to determine the breach under rule 4.1 above requests that Swimming New Zealand determine the breach in accordance with this Disputes & Disciplinary Policy and the Board agrees;
- (e) Where the Board considers in its sole discretion that the breach is of such severity and significance to the sport of swimming that it should be determined under this Disputes & Disciplinary Policy.

4.3 In relation to disputes that arise between Members, this Disputes & Disciplinary Policy shall only apply where:

- (a) The dispute involves an important activity or responsibility of Swimming New Zealand and which the Board considers in its discretion is of such importance or

is causing such a level of disruption to Members or activities of Swimming New Zealand that it must be addressed; AND

- (i) The dispute is not able to be resolved at a regional level; or
- (ii) One of the parties to the dispute is a Regional Association.

4.4 Where any breach or dispute is to be determined by a Regional Association it shall be determined in accordance with the rules of that Regional Association. Where a Regional Association has no rules which deal with disciplinary matters or disputes, the Regional Association shall determine the matter in accordance with rules 8 to 10 of this Disputes & Disciplinary Policy amended as follows:

- (a) Rule 8.1 shall be amended so that the board or executive committee of the Regional Association shall determine the members of the panel to hear the matter;
- (b) Rule 9.3 shall be amended to reflect that in relation to breaches of the Code of Conduct and Member Protection Policy there is a right of appeal to Swimming New Zealand under rule 7 of this Disputes & Disciplinary Policy. Determinations in relation to disputes between members shall be final and binding.

4.5 **Relationship to Constitution:** This Disputes & Disciplinary Policy must not be interpreted as restricting or limiting the powers of Swimming New Zealand, the Board or the CEO as provided for in the Constitution or the powers of a Regional Association under its rules.

4.6 **Relationship to law:** Any action taken under this Disputes & Disciplinary Policy shall be without prejudice to any right or remedy Swimming New Zealand or a Regional Association may have in law.

4.7 **Doping:** This Disputes & Disciplinary Policy does not apply to Anti-Doping Rule Violations for which the provisions of:

- (a) Any FINA or IOC anti-doping rules; and / or
- (b) The Sports Anti-Doping Rules;

shall apply to Members.

4.8 **Selection appeals:** this Disputes & Disciplinary Policy shall not apply to appeals against:

- (a) A Member's non-selection to a New Zealand swimming team;
- (b) A Member's non-nomination or non-selection to a New Zealand Olympic or Commonwealth Games Team.

## **5. Investigation of Breaches of the Code of Conduct or Member Protection Policy**

- 5.1 Where this Disputes & Disciplinary Policy applies in accordance with rule 4.2:
- (a) the CEO may of his own motion investigate breaches of the Code of Conduct or Member Protection Policy.
  - (b) Any Member, Board Member, Regional Association Board Member, President, or a CPA may report a breach of the Code of Conduct or the Member Protection Policy to the CEO, but any subsequent action in relation to that complaint shall be in the CEO's sole discretion.
- 5.2 The CEO may postpone investigation of any alleged breach or enforcement of the Code of Conduct or Member Protection Policy pending any separate investigation by an outside agency.
- 5.3 In investigating a possible breach of the Code of Conduct or Member Protection Policy the CEO may require a Member to provide such information as necessary to assist with that investigation for the purpose of determining whether there is a case to answer.
- 5.4 Where the CEO determines that there is a case to answer in relation to the allegation the CEO shall convene a Panel in accordance with rule 8.1.
- 5.5 Where the CEO determines that there is no case to answer the CEO shall take no further action in relation to the allegation.
- 5.6 In relation to alleged breaches of the Member Protection Policy the CEO may delegate any of his powers of investigation under this rule to a CPA or the President.
- 

## **6. Disputes Between Members**

- 6.1 Where a Member who has a dispute with another Member believes that this Disputes & Disciplinary Policy may apply in accordance with rule 4.2(e) above, that Member may refer the dispute to the CEO in writing.
- 6.2 Upon receipt of notice of that dispute the CEO may investigate the dispute by asking the parties to the dispute to provide further information.
- 6.3 When the CEO is satisfied that he has all the information relevant to the dispute the CEO shall refer the dispute to the Board which shall determine in its sole discretion whether such dispute meets the criteria set out in rule 4.2(e) of this Disputes & Disciplinary Policy.
- 6.4 Where the Board is satisfied that the dispute meets the criteria in rule 4.2(e) it shall:

- (a) Refer the parties to the dispute to mediation to be facilitated by the President or such person suitably qualified to mediate the dispute; and
    - (b) Direct the CEO to appoint a Panel in accordance with rule 8 to resolve the dispute in the event that mediation is unsuccessful.
  - 6.5 Where the Board is not satisfied that the dispute meets the criteria in rule 4.2(e) it shall either:
    - (a) Refer the parties to the dispute to mediation to be facilitated by the President or such person suitably qualified to mediate the dispute; or
    - (b) Take no further action in relation to the referral.
- 

## **7. Appeals from Regional Member and Member Clubs**

- 7.1 Any Member who wishes to appeal a decision of a Regional Association or Member Club involving suspension, expulsion, penalty or any other material detriment may appeal to Swimming New Zealand by providing written notice to the CEO within 28 days of the date of the decision appealed against.
  - 7.2 The written notice provided under rule 7.1 shall:
    - (a) Include a copy of the decision being appealed against;
    - (b) Include a summary of the reasons why the Member wishes to appeal against the decision; and
    - (c) Indicate whether the Member wishes to appeal against a part of the decision (and if so the grounds for doing so) or wishes to have a rehearing of the entire matter;
    - (d) Be copied to the Regional Association or Member Club who made the decision being appealed against.
  - 7.3 Upon receipt of the notice the CEO may either:
    - (a) Convene a Panel in accordance with rule 8; or
    - (b) Require that the Regional Member / Member Club and the Member submit to the jurisdiction of the ST for the hearing of the appeal.
- 

## **8. Hearing**

- 8.1 **Appointment of Panel:** the CEO shall appoint a panel of enquiry which comprises a three members made up as follows:

- (a) An appropriately qualified person who shall act as the Panel's Chair;
    - (b) Such other persons as he judges to be suitable to hear the matter.
  - 8.2 **Conflict of interest:** No person may sit on the Panel who has an actual or potential conflict of interest which may affect their impartiality in hearing the matter before them.
  - 8.3 **Procedures to be adopted:** In hearing any matter under this Disputes & Disciplinary Policy, the Panel will have the right to determine all procedures to be adopted.
  - 8.4 **Non-attendance by party to hearing:** Once a hearing is convened, the Panel has power to make a determination upon the available evidence on the date set for the hearing, or such later date, irrespective of whether any party attends the hearing or makes written submissions.
  - 8.5 **Documents:** any documents upon which any party to the hearing wishes to rely must be sent to the other party and the Panel at least two business days prior to the date convened for the hearing. The Panel may exclude any documents not sent to them in accordance with this rule.
  - 8.6 **Witnesses:** The Panel may, in relation to any hearing, require the attendance of any person and ask any questions and call any evidence as the Panel, in its absolute discretion, thinks fit. It is acknowledged that the Panel has no legal power to compel such witnesses to attend, other than Members who are contractually bound to do so.
  - 8.7 **Written submissions:** Any party to a hearing (including the CEO and / or CPA) may make any written submissions to the Panel provided that copies of such written submissions are provided to the Panel and the other parties prior to their presentation.
  - 8.8 **Representation:** At any hearing any Member may be represented by a support person who may make submissions on that Member's behalf but who shall not be entitled to provide evidence on that Member's behalf.
  - 8.9 **Confidentiality:** all hearings before the Panel shall be confidential and any matters discussed shall be held in the strictest confidence between those in attendance at the hearing.
- 

## 9. Determination

- 9.1 **General justice and fairness:** The Panel will make its determinations in the following manner:
  - (a) by reference to considerations of general justice and fairness;
  - (b) consistently with any contractual or employment rules which may apply;



- (c) based on the evidence presented to the Panel and the seriousness of the breach.
- 9.2 **Written Reasons:** The Panel will with as little delay as possible after the conclusion of a hearing, contemporaneously provide a written determination to the parties, which sets out the reasons for the determination.
- 9.3 **Determinations final and binding:** Subject only to the right of appeal set out in rule 11, all Determinations of the Panel will be final and binding.
- 9.4 **Determinations confidential:** All determinations of the Panel shall be confidential between the parties unless the Panel determines that publication of the determination is in the best interests of the sport (for example, to deter others from similar conduct).
- 9.5 **Manifest error:** The Panel may at any time correct, vary or set aside a determination where there is a manifest error in the determination.
- 9.6 **What the Panel may determine:** After hearing the evidence, the Panel may make one or more of the following orders:
  - (a) In relation to alleged breaches of the Code of Conduct or Member Protection Policy:
    - (i) Make an order that the Member is found to have breached the Code of Conduct or Member Protection Policy and shall refrain from committing any further breach of either the Code of Conduct or Member Protection Policy;
    - (ii) Find the alleged breach of the Code of Conduct or Member Protection Policy to have been proven and impose a sanction;
    - (iii) Find the alleged breach of the Code of Conduct or Member Protection Policy or any part to be proven, but decline to take any further action in the matter;
    - (iv) Find the alleged breach of this Code of Conduct or Member Protection Policy or any part of it not proven and make an order that the allegation be dismissed.
  - (b) In relation to a dispute between Members, make such findings of fact or other such orders which the Panel considers necessary in order to resolve the dispute which may include (but not necessarily be limited to):
    - (i) Ordering one Member to pay the other Member a sum in compensation which represents any actual financial loss suffered by that Member which is caused by the other Member;

- (ii) Requiring any Member to comply with any rule, regulation or policy of Swimming New Zealand or a Regional Association.
  - (c) In relation to an appeal by a Member from a decision of a Regional Association or Member Club:
    - (i) Allow the appeal and set aside the decision being appealed against and substitute its own decision;
    - (ii) Dismiss the appeal.
- 

## **10. Sanctions for Breaches of the Code of Conduct or Member Protection Policy**

10.1 If a Member is found to have breached any part of the Code of Conduct or Member Protection Policy, the Panel may impose one or more of the following sanctions:

- (a) Issue a written warning;
- (b) Direct that the Member attend counselling to address their behaviour as a condition of their membership;
- (c) Withdrawal of any awards, placings, records, activities or events sanctioned by Swimming New Zealand;
- (d) Suspend the Member's membership rights in Swimming New Zealand for a period;
- (e) Suspend the Member from participating in any swimming related activity which is run under the auspices of Swimming New Zealand, a Regional Association or a Member Club;
- (f) Require an apology, or order reparation or compensation to any Member affected by the breach;
- (g) Recommend the expulsion of the Member from either Swimming New Zealand, the Member's Regional Association or Member Club;
- (h) Enforce any sanction imposed by the IOC, FINA or the ST in addition to any sanction of its own which it thinks appropriate in the circumstances;
- (i) Any other form of discipline the Panel considers appropriate;
- (j) Where the Member is a Regional Association or Member Club:
  - (i) direct that any funding granted or given to it by Swimming New Zealand cease from a specified date;

- (ii) Direct that any rights or privileges or benefits provided cease from a certain date;
    - (iii) A direction that Swimming New Zealand cease to sanction events held by or under its auspices.
  - (k) Decline to take any further action.
- 10.2 In determining what sanction to impose the Panel shall take into account the following factors:
- (a) Nature and seriousness of the breach;
  - (b) If the person knew or should have known that the behaviour was a breach;
  - (c) Level of contrition;
  - (d) The effect of the proposed disciplinary measures on the person including any personal, professional or financial consequences;
  - (e) If there have been relevant prior warnings or disciplinary action;
  - (f) Ability to enforce discipline if the person is a parent/guardian or spectator;
  - (g) Any mitigating circumstances.
- 10.3 **Child Protection:** Where a determination involves child protection concerns the safety of the child is the priority and the Panel must consult with the CPA assigned to the matter prior to making any determination or imposing any sanction.
- 10.4 Without limiting the generality of the remedies available to the Panel and this rule, the Panel may suspend the enforcement of any such remedy on such terms and conditions as it thinks fit.
- 10.5 **Costs:** Each party will be responsible for bearing its own costs in relation to the Hearing.
- 

## 11. Right of Appeal

- 11.1 Any Member against whom a determination has been made under rule 4.2 may appeal that determination to the ST in accordance with the Rules of the ST. Until such appeal is determined, any sanction imposed by the Panel shall remain in place.
- 11.2 No appeal shall lie against determinations made under rules 4.2(e) or 7 which shall be final and binding.

---

**Chair**

**By order of the Board of Swimming New Zealand**

**Dated:**

# Swimming New Zealand Code of Conduct

---

## 1. Title

### 1.1 The Code:

- (a) Is made by the Board under rule 13.2.f. of the Constitution;
  - (b) Shall be called be the Swimming New Zealand Code of Conduct ("the Code").
- 

## 2. Definitions

### 2.1 In this Code, the following words have the following meanings:

- (a) **Anti-Doping Rule Violation** has the meaning given by the Sports Anti-Doping Rules;
  - (b) **Board** means the board of Swimming New Zealand as defined by the Constitution;
  - (c) **CAS** means the Court of Arbitration for Sport;
  - (d) **Constitution** means the constitution of Swimming New Zealand in force from time to time;
  - (e) **FINA** is the international governing body for swimming;
  - (f) **IOC** means the International Olympic Committee;
  - (g) **Member** has the meaning given by the Constitution;
  - (h) **Member Protection Policy** means the Member Protection Policy ordered by the Board as amended from time to time;
  - (i) **NZOC** means the New Zealand Olympic Committee;
  - (j) **Panel** means the panel formed by the CEO under the Swimming New Zealand Disputes Policy;
  - (k) **ST** means the Sports Tribunal of New Zealand.
- 

## 3. Objectives

- ### 3.1 The Objective of the Code are to ensure that Members, parents and guardians comply with certain standards of behaviour when participating in swimming related activities.
-

## 4. When the Code Applies

- 4.1 **Relationship to Constitution:** This Code must not be interpreted as restricting or limiting the powers of Swimming New Zealand, the Board or the CEO as provided for in the Constitution.
- 4.2 **Relationship to law:** Any action taken under this Code shall be without prejudice to any right or remedy Swimming New Zealand may have in law.
- 4.3 **Doping:** This Code does not apply to Anti-Doping Rule Violations for which the provisions of:
- (a) Any FINA or IOC anti-doping rules; and / or
  - (b) The Sports Anti-Doping Rules;
- shall apply to Members.
- 4.4 Where any sanction is imposed by the ST, FINA or the IOC in relation to an Anti-Doping Rule Violation, then it shall be a breach of this Code of Conduct for any Member not to comply with such sanction.
- 

## 5. Breach of this Code

- 5.1 A Member must at all times during the course of his/her membership of Swimming New Zealand comply with:
- (a) The Constitution;
  - (b) Any rules or policies made by the Board under powers given by the Constitution;
  - (c) Any determinations made by a Panel convened under the Swimming New Zealand Disputes Policy;
  - (d) Any determinations made by the ST, NZOC, IOC or CAS which affects that Member;
- And any breach of the above shall be a breach of this Code.
- 5.2 **Misconduct:** A Member must not in the course of his/her involvement as a Member:
- (a) Breach any of the rules of conduct set out in Appendix A;
  - (b) Breach the Swimming New Zealand Member Protection Policy;
  - (c) Breach any other rule or policy of Swimming New Zealand including the Constitution;

- (d) Engage in any conduct which would be contrary to any of the prohibited grounds of discrimination pursuant to the Human Rights Act 1993;
- (e) Knowingly make slanderous or libellous statements or publications against Swimming New Zealand;
- (f) Knowingly act in a manner which will bring the sport of swimming into disrepute;
- (g) Knowingly induce, aid, or abet any Member to breach this Code.

## **APPENDIX A – RULES OF CONDUCT**

### **The following requirements must be met in regard to your conduct:**

- Respect the rights, dignity and worth of others.
- Be fair, considerate and honest in all dealings with others.
- Be professional in, and accept responsibility for, your actions.
- Make a commitment to providing quality service and performance.
- Be aware of, and maintain an uncompromising adherence to, standards, rules, regulations and policies.
- Operate within the Constitution, Regulations, Policies and Procedures of Swimming New Zealand and FINA.
- Abide by the Sports Anti-Doping Rules (as amended from time to time by Drug Free Sport New Zealand).
- Understand the possible consequences of breaching the Swimming New Zealand Code of Conduct.
- Immediately report any breaches of Swimming New Zealand members to the appropriate authority.
- Refrain from any form of abuse towards others.
- Refrain from any form of harassment towards others.
- Refrain from any form of discrimination towards others.
- Refrain from any form of victimisation towards others.
- Provide a safe environment for the conduct of the activity in accordance with relevant Swimming New Zealand policy.
- Show concern and caution towards others who may be sick or injured.
- Be a positive role model.
- To not provide comment to any media on behalf of Swimming New Zealand.
- To not speak to any media in a negative way regarding Swimming New Zealand.
- Never act in any way that may bring disrepute or disgrace to Swimming New Zealand members, its stakeholders and/or its sponsors, potential sponsors and/or partners.

Swimming New Zealand expects all members, supporters, advisors, staff and associates of Swimming New Zealand to abide by the Code of Conduct and uphold the principles and values of the organisation and the Swimming New Zealand Member Protection Policy. Members should recognise that at all times they have a responsibility to a duty of care to all Swimming New Zealand members.

**In addition a Team Manager will:**

- Agree to abide by the Code of Conduct.
- Be responsible for the overall welfare and well-being of team members and officials when travelling with a team. Not participate (or benefit from assisting others involved) in sports betting or gambling activity associated with swimming events and/or swimming results in which they are participating or have been directly involved in.
- Maintain a 'duty of care' towards team members and be accountable for the management of the team.
- Have a sound working knowledge of Swimming New Zealand Constitution, Regulations, and Policies, and ensure that the conduct of the affairs of the team is in accordance with these and or any other policies and guidelines determined by Swimming New Zealand.
- Foster a collaborative approach to the management of the team.

**In addition a Teacher / Coach will:**

- Agree to abide by the Code of Conduct.
- Respect the rights, dignity and worth of every individual athlete as a human being.
- Treat everyone equally regardless of gender, disability, ethnic origin or religion.
- Respect the talent, developmental stage and goals of each athlete in order to help each athlete reach their full potential.
- Not participate (or benefit from assisting others involved) in sports betting or gambling activity associated with swimming events and/or swimming results in which they are participating or have been directly involved in.
- Maintain high standards of integrity.
- Operate within the rules of your sport and in the spirit of fair play, while encouraging your athletes to do the same.
- Abide by the Sports Anti-Doping Rules and advocate a sporting environment free of drugs and other performance enhancing substances within the guidelines of the Drug Free Sport New Zealand.
- Do not disclose any confidential information relating to their athletes without written prior consent.

*Be a positive role model for your sport and athletes and act in a way that projects a positive image of coaching*

- All athletes are deserving of attention and opportunities.
- Ensure the athlete's time spent with you is a positive experience.
- Be fair, considerate and honest with athletes.
- Encourage and promote a healthy lifestyle – refrain from smoking and drinking alcohol around athletes.

*Professional responsibilities*

- Display high standards in your language, manner, punctuality, preparation and presentation.
- Display control, courtesy, respect, honesty, dignity and professionalism to all involved within the sphere of sport - this includes opponents, coaches, officials, administrators, the media, parents and spectators. Encourage your athletes to demonstrate



the same qualities.

- Be professional and accept responsibility for your actions.
- You should not only refrain from initiating a relationship with an athlete, but should also discourage any attempt by an athlete to initiate a sexual relationship with you, explaining the ethical basis of your refusal.
- Accurately represent personal coaching qualifications, experience, competence and affiliations.
- Refrain from criticism of other coaches.

*Make a commitment to providing a quality service to your athletes*

- Seek continual improvement through ongoing coach education, and other personal and professional development opportunities.
- Provide athletes with planned and structured training programmes appropriate to their needs and goals.
- Seek advice and assistance from professionals when additional expertise is required.
- Maintain appropriate records.

*Provide a safe environment for training and competition*

- Adopt appropriate risk management strategies to ensure that the training and/or competition environment is safe.
- Ensure equipment and facilities meet safety standards.
- Ensure equipment, rules, training and the environment are appropriate for the age, physical and emotional maturity, experience and ability of the athletes.
- Show concern and caution toward sick and injured athletes.
- Allow further participation in training and competition only when appropriate.
- Encourage athletes to seek medical advice when required.
- Provide a modified training program where appropriate.
- Maintain the same interest and support toward sick and injured athletes.

*Protect your athletes from any form of personal abuse*

- Refrain from any form of verbal, physical and emotional abuse towards your athletes.
- Refrain from any form of sexual and racial harassment, racial vilification and harassment on the grounds of disability.
- Any physical contact with athletes should be appropriate to the situation and necessary for the athlete's skill development.
- Be alert to any forms of abuse directed towards athletes from other sources while in their care.

**In addition a Training Programme Deliverer will:**

- Agree to abide by the Code of Conduct.
- Ensure characters (and their names) used in case studies, exercises and examples must be free from stereotypes and unlikely to cause offence.
- Ensure material and presenters discourage and prevent polarisation of participants.
- Ensure the training programme, content, process and/or activities must include all trainees and avoid giving an advantage to any one group over another.
- Verbal and non-verbal language must be non-discriminatory.
- Humour must be non-discriminatory.
- Training programme materials such as session plan, videos, and handouts must be non-discriminatory and unlikely to offend.

**In addition a Swimmer will:**

- Agree to abide by the code of conduct.
- Never argue with or verbally abuse an official. Always use the

- appropriate rules and guidelines to resolve a dispute.
- Not participate (or benefit from assisting others involved) in sports betting or gambling activity associated with swimming events and/or swimming results in which they are participating or have been directly involved in.
- Conduct yourself in a sporting manner and respect fellow swimmers, coaches, managers, staff, officials and the achievement of opponents.
- Do not bully or take an unfair advantage of another competitor. Cooperate with your coach, manager team mates and opponents.
- Refrain from possessing, consuming substances prohibited under the Sports Anti-Doping Rules while in Swimming New Zealand camps or on tours.
- Do not consume or purchase alcohol and tobacco while in Swimming New Zealand camps or on Tours without the agreement of the Team Manager and Head Coach.
- Comply with training, competition, curfew and behaviour requirements directed by Swimming New Zealand, while in camp or on tours.

**In addition a Technical Official will:**

- Agree to abide by the Code of Conduct.
- Be consistent objective and courteous when making decisions.
- Not participate (or benefit from assisting others involved) in sports betting or gambling activity associated with swimming events and/or swimming results in which they are participating or have been directly involved in.
- Compliment and encourage all participants.
- Condemn unsporting behaviour and promote respect for all opponents.
- Emphasise the spirit of competition rather than the errors.
- Encourage and promote rule changes, which will make the participation more enjoyable.
- Be a good sport yourself.
- Keep up to date with the latest trends in officiating and the principles of growth and development of young people.
- Remember, you set an example. Your behaviour and comments should be positive and supportive.
- Place the safety and welfare of the participants above all else.
- Give all your people a 'fair go' regardless of their gender, ability, cultural background or religion.

**In addition a Member, Administrator, Associate and/or Quality Swim School will:**

- Agree to abide by the Code of Conduct.
- Be fair, considerate and honest with others.
- Be professional in all actions. Ensure language, presentation, manner and punctuality reflect high standards.
- Resolve conflicts fairly and promptly through established procedures.
- Maintain strict impartiality.
- Maintain a safe environment for others.

**In addition a Parent or Guardian will:**

- Agree to abide by the Code of Conduct.
- Remember that children participate in sport for their enjoyment, not

yours.

- Encourage children to participate, do not force them.
- Focus on the child's efforts and performance rather than winning or losing.
- Encourage children always to compete according to the rules and to settle disagreements without resorting to hostility or violence.
- Never ridicule or yell at a child for making a mistake or losing a competition.
- Remember that children learn best by example.
- Support all efforts to remove verbal and physical abuse from sporting activities.
- Respect officials' decisions and teach children to do likewise.
- Show appreciation for coaches, officials and administrators.

---

**Chair**

**By order of the Board of Swimming New Zealand**

**Dated:**