

# Swimming New Zealand Code of Conduct

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## 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”).
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## 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.
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## 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.
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## 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.
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## 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 an 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.

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**Chair**

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

**Dated:**