VOLLEYBALL AUSTRALIA

National Integrity Framework

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Policy to be reviewed by Sport Integrity Australia

September - December 2022

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1. Background

1.1 Introduction

(a) This Volleyball Australia National Integrity Framework applies to all Activities organised or authorised by Volleyball Australia or a Member Organisation and will be adopted in full by each Volleyball Organisation.

(b) Sports integrity means the manifestation of the ethics and values that promote community confidence in sport. Threats to the integrity of sport includes the:

(i) manipulation of sporting competitions;

(ii) improper use of drugs and medicine in sport;

(iii) abuse of children and other persons in a sporting environment; and

(iv) failure to protect Members and other persons in a sporting environment, from bullying, intimidation, discrimination, or harassment.

(c) Volleyball Australia seeks to take a proactive approach to mitigate the integrity threats to Volleyball in Australia and to provide a safe, fair, and trustworthy environment for all Participants at all levels of Volleyball.

(d) The National Integrity Framework is one of Volleyball Australia's responses to the threats to the integrity of Volleyball and sets out the broad expectations for the conduct of all Participants, including procedures for managing, reporting, investigating and determining potential breaches of its Integrity Policies.

1.2 Definitions

In the National Integrity Framework, the following words have the corresponding meaning:

Activity means a Volleyball contest, match, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition, sanctioned or organised by Volleyball Australia or a Volleyball Organisation.

Administrators – see 'Participant'.

Athletes – see 'Participant'.

Authorised Provider – see 'Relevant Organisation'.

Board means the board of Volleyball Australia.

CEO means the chief executive officer of Volleyball Australia as appointed from time to time.

Child or Children means a child or young person, or two or more children or young persons, who is or are under the age of 18 years.

Club – see 'Relevant Organisation'.

Coaches – see 'Participant'.

Complaints, Disputes & Discipline Policy (CDPP) means the policy adopted by Volleyball Australia under this Framework, for the handling and resolution of Complaints regarding Prohibited Conduct.

Contractor means any person or organisation engaged to provide services for or on behalf of Volleyball Australia or a Volleyball Organisation, and includes agents, advisers, and subcontractors of Volleyball Australia or a Volleyball Organisation and employees, officers, volunteers, and agents of a contractor or subcontractor.

Disciplinary Measures means any Provisional Action taken or Sanction imposed under the Complaints, Disputes and Discipline Policy, as defined in that policy.

Employee means a person employed by Volleyball Australia or a Volleyball Organisation.

Framework means this National Integrity Framework document, including any schedules and annexures.

Integrity Policy means the following Volleyball Australia sports integrity-related policies adopted under this Framework:

(a) This Framework document;

(b) Child Safeguarding Policy;

(c) Competition Manipulation and Sport Wagering Policy;

(d) Improper Use of Drugs and Medicine Policy;

(e) Member Protection Policy; and

(f) Complaints, Disputes and Discipline Policy.

Individual Member – see 'Member'.

Integrity Unit means Volleyball Australia's national integrity unit, as established under clause 5.1.

Member means a member of Volleyball Australia or a Volleyball Organisation under its constitution, including:

(a) Member Organisations, which means each company or incorporated association that is a member of Volleyball Australia including each:

(i) Member State, which means an entity recognised under clause 12.1 of the Volleyball Australia Constitution to administer the sport of volleyball in its particular State or Territory; and

(ii) State Affiliate, which means an organisation affiliated as a member of a Member State.

(b) Individual Members, which means individuals who are registered financial individual members of a Member State.

Member Organisations – see 'Member'.

National Integrity Manager means the person responsible for Volleyball Australia's Integrity Unit and for the implementation, management, reporting and review of this Framework.

Officials – see 'Participant'.

Participant means:

(a) Athletes who are registered with or entitled to participate in a Volleyball Organisation or a Volleyball Australia Activity

(b) Coaches appointed to train an Athlete or Team in a Volleyball Organisation or Volleyball Australia Activity

(c) Administrators who have a role in the administration or operation of a Volleyball Organisation or Volleyball Australia, including owners, directors, committee members or other persons

(d) Officials including referees, umpires, technical officials, or other officials appointed by a Volleyball Organisation, Volleyball Australia or any league, competition, series, Club or Team sanctioned by Volleyball Australia

(e) Support Personnel who are appointed in a professional or voluntary capacity by a Volleyball Organisation, Volleyball Australia or any league, competition, series, Club or Team sanctioned by Volleyball Australia including sports science sports medicine personnel, team managers, agents, selectors, and team staff members.

Prohibited Conduct means the conduct proscribed by this Framework and the Integrity Policies.

Relevant Organisation means any of the following organisations:

(a) Volleyball Australia

(b) Member Organisation – see 'Member'.

(c) Volleyball Organisation, which means and includes:

(i) Member Organisations - see 'Member';

(ii) Clubs, which means any club that enters a Team to participate in an Activity; and

(iii) Authorised Providers, which means any non-Member organisations authorised to conduct Activities sanctioned by Volleyball Australia or a Member Organisation;

(d) Team, which means a collection or squad of athletes who compete and/or train in Volleyball and/or the Activity; and

(e) Any other organisation who has agreed to be bound by this Framework/the Integrity Policies.

Relevant Person means any of the following persons:

(a) Individual Member – see 'Member';

(b) Participant;

(c) Employee;

(d) Contractor;

(e) **Volunteer**, which means any person engaged by Volleyball Australia or a Volleyball Organisation in any capacity who is not otherwise an Employee or Contractor, including directors and office holders, coaches, officials, administrators and team and support personnel; and

(f) Any other individual who has agreed to be bound by this Framework/the Integrity Policies.

Support Personnel – see 'Participant'.

Team – see 'Relevant Organisation'.

Volleyball means the sport of volleyball, as governed by Volleyball Australia and FIVB from time to time.

Volleyball Australia or **VA** means Volleyball Australia Limited.

Volleyball Organisation – see 'Relevant Organisation'.

Volunteer – see 'Relevant Person'.

2. Jurisdiction

2.1 Who the Framework applies to

(a) This Framework applies to and binds all Relevant Persons and Relevant Organisations as set out in the Integrity Policies.

(b) Employees are expected to abide by the terms of this Framework as a reasonable and lawful direction of Volleyball Australia or the Volleyball Organisation they are employed by (as relevant) as their employer.

(c) Volleyball Australia and Volleyball Organisations must ensure that all of their respective Contractors and Volunteers are contractually bound to abide by the terms of this Framework.

(d) By participating in an Activity, a Participant is deemed to have agreed to be bound by the Framework.

(e) Any person or organisation who:

(i) has had a complaint made against them under the Complaints, Disputes and Discipline Policy; and

(ii) was bound by the Framework at the time the complaint was made or when they became aware that a complaint may be made;

(iii) would, for any reason, otherwise have ceased to be bound by this Framework at any time after the complaint was made or when they became aware that the complaint may be made,

remains bound by the Framework in respect of the complaint and any related complaint until the complaints process has been finalised in accordance with the Complaints, Disputes and Discipline Policy.

3. Scope

3.1 Scope

(a) The National Integrity Framework comprises this Framework document and the Integrity Policies.

(b) Nothing in this Framework limits the rights or obligations of any person under any other Volleyball Australia policy, code of conduct or other relevant agreement.

(c) This Framework does not override or limit the application of any laws of Australia or a state/territory.

(d) The 'Summary' at the start of each Integrity Policy is not intended to be and should not be construed in any way as a complete and comprehensive overview of the relevant Integrity Policy. Unlike the operative provisions of the relevant Integrity Policy, the “Summary” at the start of each Integrity Policy is provided for information only and shall not be deemed part of the substance of the document.

4. Prohibited Conduct

4.1 Prohibited Conduct

In addition to the Prohibited Conduct proscribed by the Integrity Policies, a Relevant Person or Relevant Organisation commits a breach of this Framework when they:

(a) fail to report any Prohibited Conduct, as defined under this Framework or an Integrity Policy, to Sport Integrity Australia (or otherwise in accordance with the requirements of the relevant Integrity Policy) as soon as reasonably practicable;

(b) deliberately or wilfully withhold information in relation to any possible Prohibited Conduct;

(c) fail to provide further information or documentation as requested as part of a Complaint Process under this Framework, including a failure to fully and in good faith participate in an interview;

(d) fail to comply with or enforce Disciplinary Measures imposed under the Complaints, Disputes and Discipline Policy; or

(e) knowingly provide any inaccurate and/or misleading information during the course of any investigation or proceedings under this Framework.

4.2 Additional matters

(a) Where conduct may constitute 'Prohibited Conduct' under this Framework or any Integrity Policy but is a Protected Disclosure with respect to Volleyball Australia, it must be dealt with under Volleyball Australia's whistleblower policy.

(b) The Australian National Anti-Doping Policy will prevail to the extent of any inconsistency with this Framework in all instances. Any allegation relating to a breach or possible breach of Australian National Anti-Doping Policy will be dealt with under that policy.

(c) Nothing in this Framework or the Integrity Policies prevents the Volleyball Australia Board from referring any alleged Prohibited Conduct or criminal conduct to a relevant law enforcement agency.

5. Volleyball Australia's Responsibility to Manage Framework

5.1 Responsibility for the management of the Framework

(a) Volleyball Australia will ensure that it has an Integrity Unit[1], headed by a National Integrity Manager who shall report, directly or indirectly, to the CEO.

(b) The National Integrity Manager is responsible for the implementation, management, reporting and review of this Framework within Volleyball Australia.

(c) Volleyball Australia will ensure that it appoints a Complaints Manager[2] for the purposes of the Complaints, Disputes and Discipline Policy.

5.2 National Integrity Manager

The National Integrity Manager will:

(a) be responsible for the supervision and administration of this Framework, the Integrity Policies and the associated education programs;

(b) monitor the compliance of any Sanctions;

(c) act in a professional, discreet, and confidential manner in undertaking the obligations of their role under this Framework;

[1] The size of the Integrity Unit is to be determined by the NSO based on the volume, nature, and seriousness of integrity issues within its sport and available financial resources. For the avoidance of doubt, the Integrity Unit may, if appropriate, solely comprise the National Integrity Manager.

[2] VA may appoint the same person to be both the Complaints Manager and the National Integrity Manager.

(d) be responsible for ensuring that this Framework and the Integrity Policies are regularly reviewed, and any required amendments are approved by the Volleyball Australia Board; and

(e) will provide the Volleyball Australia Board with regular reports of:

(i) information relating to Alleged Breaches and Prohibited Conduct under the Integrity Policies;

(ii) the operation of and overall compliance with the Integrity Policies; and

(iii) any education programs that Participants have been required to undertake.

5.3 Complaints Manager

The Complaints Manager will be the point of contact between Volleyball Australia and Sport Integrity Australia in relation to the functions of the Complaints, Disputes and Discipline Policy and will have such responsibilities as set out in that policy.

5.4 Reporting to Sport Integrity Australia

Volleyball Australia must ensure that they report all matters to Sport Integrity Australia as required by the Integrity Policies, which includes:

(a) any alleged Prohibited Conduct or criminal conduct that Volleyball Australia has referred/reported to a relevant law enforcement agency;

(b) any information required to be reported or notified to Sport Integrity Australia under the Competition Manipulation and Sports Wagering Policy; and

(c) the outcome of any Resolution Process under the Complaints, Disputes and Discipline Policy.

5.5 Education

(a) With the support of Sport Integrity Australia, Volleyball Australia will plan, implement, and maintain an education strategy that incorporates material addressing the matters covered by each Integrity Policy.

(b) The National Integrity Manager will, from time to time, direct certain Participants to undertake education programs, which will be relevant and proportionate to their level of participation in Volleyball and the associated integrity risks.

5.6 Recruitment of Employees and Volunteers

(a) Volleyball Australia and Volleyball Organisations should conduct any appropriate background checks required by an Integrity Policy for prospective their respective Employees, Contractors and Volunteers to screen for prior conduct that would constitute a breach of this Framework or the Integrity Policies.

(b) Volleyball Australia and Volleyball Organisations should undertake induction processes for their respective Employees, Contractors and Volunteers that incorporate familiarisation with this Framework and the Integrity Policies, and other sports integrity education and training as determined by Volleyball Australia from time to time.

6. Additional Responsibilities

6.1 Relevant Organisation responsibilities

In addition to that required under the Integrity Policies, Volleyball Australia and Member Organisations shall:

(a) implement and comply with this Framework;

(b) ensure that all other policies, rules, and programs that apply to Relevant Persons and Relevant Organisations are consistent with this Framework;

(c) use its best efforts to assist Relevant Persons and Relevant Organisations to fulfil their responsibilities under this Framework;

(d) publish, distribute, and promote this Framework and the Integrity Policies (and any updates from time to time) and shall be responsible for making such documents available and accessible to Relevant Persons and Relevant Organisations; and

(e) ensure its Employees and contractors act in a discreet and confidential manner in discharging their obligations under this Framework.

(f) recognise any Sanction imposed under this Framework;

(g) take all necessary steps to enforce any Sanction imposed under this Framework;

(h) assist in any investigation or proceedings regarding any Prohibited Conduct and ensure that they do not knowingly provide any inaccurate and/or misleading information during the course of any investigation or proceedings.

6.2 Relevant Person responsibilities

In addition to that required under the Integrity Policies, Relevant Persons shall:

(a) make themselves aware of the contents of this Framework;

(b) comply with all relevant provisions of the Framework;

(c) comply with any decisions and/or Sanctions imposed under the Framework.

(d) undertake sports integrity education as directed by the National Integrity Manager;

(e) assist in any investigation or proceedings regarding any Prohibited Conduct and ensure that they do not knowingly provide any inaccurate and/or misleading information during the course of any investigation or proceedings.

7. Complaints, Disputes & Discipline Policy

The Complaints, Disputes and Discipline Policy applies to any alleged Prohibited Conduct, including reports of breaches, of this Framework or any Integrity Policy.

8. Interpretation & Other Information

8.1 Application and Commencement

(a) This Framework is approved by the Board.

(b) This Framework:

(i) commences on the date outlined on the front cover (**Commencement Date**);

(ii) is subject to Volleyball Australia's constitution and if there is any inconsistency, the constitution will prevail; and

(iii) when in force, is binding on all those listed in clause 2.1.

8.2 Amendment

(a) The Board may amend this Framework and the Integrity Policies from time to time at the direction of Sport Integrity Australia and such amendments will be effective on the date specified by the Board.

(b) Member Organisations must adopt this Framework, including any amendments, in full and without amendment, as a policy under their constitution, within three (3) months of the date it is adopted by Volleyball Australia.

8.3 Inconsistency

This Framework applies to each Integrity Policy. When interpreting an Integrity Policy, any provisions of that Integrity Policy inconsistent with this Framework apply to the extent of that inconsistency.

8.4 Interpretation

The following rules of interpretation apply to the Framework and each Integrity Policy:

(a) Headings are for convenience only and shall not be deemed part of the substance of the document or to affect in any way the language of the provisions to which they refer.

(b) Words in the singular include the plural and vice versa.

(c) Reference to 'including' and similar words are not words of limitation.

(d) Words importing a gender include any other gender.

(e) A reference to a clause is a reference to a clause or subclause of this Framework.

(f) Where a word or phrase is given a particular meaning, other parts of speech and grammatical forms of that word or phrase have corresponding meanings.

(g) In the event any provision of this Framework is determined invalid or unenforceable, the remaining provisions shall not be affected, and the document shall not fail because any part of it is held invalid.

(h) Except as otherwise stated herein, failure to exercise or enforce any right conferred by this Framework shall not be deemed to be a waiver of any such right nor operate to bar the exercise or enforcement thereof or of any other right on any other occasion;

(i) Defined terms are Capitalised and consistent across the Framework/Integrity Policies.