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Australian Government
Sport Integrity Australia



SPORT INTEGRITY
AUSTRALIA

HIGH LEVEL SUMMARY OF
CHANGES TO FINAL

NIF Policies

July 2023

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Complaints, Disputes and Discipline Policy

Following from the version of the Policy sent out to stakeholders for comment in April 2023, Sport Integrity Australia has made further revisions to the Complaints, Disputes and Discipline Policy (CDDP) after consideration was given to the feedback and suggestions received.

Improvements to the structure and clarity of the Policy

- Stylistic changes have been made where appropriate to make the Policy clearer and easier to understand.
- Additional provisions have been included in the definition of Vulnerable Person to cover persons experiencing poor mental health outcomes as result of societal factors, including but not limited to individuals from diverse backgrounds facing disproportionate mental health impacts, such as people with diverse sexualities or gender.
- The Definition of Discrimination has been updated in this Policy. Discrimination will be assessed in the context of a Protected Characteristic only. This Definition aligns with legislated definitions of Discrimination. The Discrimination definition in the Member Protection and the Safeguarding Children and Young People policies have also been updated to align.
- Additional detail has been added to the Jurisdiction section to be clear that a Respondent will still be bound by the Relevant Policies even if they are no longer a Relevant Person/Organisation (but were at the time of the alleged conduct).
- The words 'without reasonable cause' in certain sub-sections under Prohibited Conduct have been added to account for where a person has a reasonable justification for withholding information that supports the Complaint Process.
- Further detail has been added to the provisions relating to the Evaluation of a Complaint.
- Further detail has been added to clarify how lower-risk (i.e. Category 1) Complaints can be managed, and to clarify how NSOs may refer complaints directly to the NST either before investigating or before making findings following an investigation.
- The responsibilities and actions within the Resolution Process have been clarified.
- An additional clause around 'Case Closure' has been included to clarify the responsibilities and actions to finalise a Complaint.
- Sport Integrity Australia is committed to working closely with the sports that put forward feedback/suggestions specific to their sport as part of the adoption process.

Educational resources

- A hyperlink to Sport Integrity Australia's website has been included in the Policy to assist Relevant Persons to access resources that support Policy implementation and education. (This is located in the Education clause, under the Interpretation and Other Matters section.)

Guidance documents to be further developed

- Feedback regarding adding further detail in some clauses will be addressed as part of reviewing and building on the guidance documents that complement the Policy.
- Sport Integrity Australia is committed to building on the guidance in the [Investigation of Complaints](#) and the [Case Categorisation and Guidance for Sanctions](#) documents to include further detail on specific aspects of the Complaints Process such as, internal hearings and appeals, confidentiality and managing conflicts of interest, record keeping, how to make sanction decisions (including appointing a decision maker and if/when sanctions should be publicly disclosed), and decision making relating to third party reports and moving them through the Complaints Process. This additional information may be included in separate resources or, where appropriate, added to the current guidance material to form a 'tool kit' for managing complaints under the National Integrity Framework.

Safeguarding Children and Young People Policy

Following from the version of the Policy sent out to stakeholders for comment in April 2023, Sport Integrity Australia has made further revisions to the Safeguarding Children and Young People Policy after consideration was given to the feedback and suggestions received. The changes also ensure the Policy is more easily understood and applied, and that it better aligns with current best practice and legislation.

Policy name

- The Policy is now called the Safeguarding Children and Young People Policy, to align with best practice language. Technically, anyone under the age of 18 is a Child, however, some older children, such as teenagers prefer to be called Young People. As this Policy is designed to protect the rights of Children and Young People, the change has been made to reflect that position.

Emergency actions

- There will be some situations that occur within sport, that require an immediate, statutory response. Sport Integrity Australia is not a statutory agency, for the purpose of Child Safeguarding, and in situations where there is reason to believe a Child or Young Person is in immediate risk of harm, Police and or Child Protection agencies should be called. To reflect and highlight this, the provision has been moved into the second paragraph of the Policy Intent section.

Definitions

- The Definition of Discrimination has been updated in this Policy. Discrimination will be assessed in the context of a Protected Characteristic only. This Definition aligns with legislated definitions of Discrimination. The Discrimination definition in the Member Protection and the Complaints, Disputes and Discipline policies have also been updated to align.
- Child Abuse Definitions have been updated, to reflect the most nationally consistent approach, which is appropriate in the sporting context. Exposure to Domestic Violence is included in this Policy, as sports have a duty of care for the Children and Young People who access their Activities, to report significant risk of harm to the appropriate agencies.
- Harmful Behaviour Towards a Child/Young Person has been expanded to include harmful practices around excessive focus on weight/nutrition/body composition.
- Some of the definitions have been updated to reflect changes made to the CDDP, such as the definition of the 'National Integrity Framework', and a clause has been added to note that any capitalised term that is not defined (such as Relevant Policies) has the meaning given to it in the CDDP.

Child Safe Standards

- There is information advising Sports that although the National Principles may not be mandatory in all states and territories, there are state/territory requirements which are mandatory, and at times, organisations could be at risk of a fine if they are not compliant. It is each state/territory organisation's responsibility to understand the requirements within their respective state/territory and ensure they are across any changes that occur from time-to-time.

Child/Young Person Safe Practices

- To assist sports to understand their requirements, there has been a number of revisions within the Child/Young Person Safe Practices, in particular relating to Photographs of Children and Young People and Physical Contact with Children and Young People.

Educational resources

- A hyperlink to Sport Integrity Australia's website has been included in the Policy to assist Relevant Persons to access resources that support Policy implementation and education. (This is located in the Education clause, under the Other Matters section.)

Member Protection Policy

Following from the version of the Policy sent out to stakeholders for comment in April 2023, Sport Integrity Australia has made further revisions to the Member Protection Policy after consideration was given to the feedback and suggestions received. The changes ensure the Policy is more easily understood and applied, and that it better aligns with current best practice and legislation.

Definitions

- The Definition of Discrimination has been updated in this Policy. Discrimination will be assessed in the context of a Protected Characteristic only. This Definition aligns with legislated definitions of Discrimination. The Discrimination definition in the Safeguarding Children and Young People and the Complaints, Disputes and Discipline policies have also been updated to align.
- Abuse Definitions have been updated to ensure alignment with best practice and assist sports within their contexts and operations.
- Some of the definitions have been updated to reflect changes made to the CDDP, such as the definition of the 'National Integrity Framework', and a clause has been added to note that any capitalised term that is not defined (such as Relevant Policies) has the meaning given to it in the CDDP.

Educational Resources

- A hyperlink to Sport Integrity Australia's website has been included in the Policy to assist Relevant Persons to access resources that support Policy implementation and education. (This is located in the Education clause, under the Other Matters section.)

Improper Use of Drugs and Medicines Policy

Following from the version of the policy sent out to stakeholders for comment in April 2023, Sport Integrity Australia has made further revisions to the Improper Use of Drugs and Medicines Policy (IUDM) after consideration was given to the feedback and suggestions received. The changes ensure the Policy is more easily understood and applied, and that it better aligns with current sports science sports medicine practices.

Drafting changes

- Minor drafting changes have been made to clarify text and improve the provisions.

Definitions

- Some of the definitions have been updated to reflect changes made to the CDDP, such as the definition of the 'National Integrity Framework', and a clause has been added to note that any capitalised term that is not defined (such as Relevant Policies) has the meaning given to it in the CDDP.
- The defined terms of Possession and Trafficking have been adjusted to align with the definition of Serious Drug Offence.
- The definitions relating to Supplements have been revised to better align with the Australian Institute of Sport (AIS) Sport Supplements Framework (AIS Framework):
 - The definition of Non-Dietary Supplement has been removed.
 - The definition of Supplement has been updated to be consistent with the AIS Framework definition.
 - The definition of Non-Compliant Supplement has been renamed to be Prohibited Supplement and has been simplified and aligned with the AIS Framework to only include Category D substances from the Framework. However, an option has also been included for NSOs to adopt a more prescriptive definition which allows the sport to further restrict the use of Supplements by Relevant Athletes. A sport can do this by also prohibiting any Supplement that is not Batch-tested, or is not a medicine registered under the Therapeutic Goods Act, or is not a food which is compliant with the Australian New Zealand Food Standards Code. As an example, this means that if an AUST L or Category C Supplement is not Batch-tested, it is a Prohibited Supplement.
 - A new definition of Batch-tested has been added in the event a sport wishes to adopt the alternative approach, and
 - An example provision and definition are included in the Policy and **highlighted in blue**.

Prohibited Conduct

- Providing a Relevant Athlete with prescription Medication or over the counter Medication in an unlawful manner has been included as Prohibited Conduct for all Relevant Persons.
- While the Prohibited Conduct under clause 4.1 of the Policy relates to a Serious Drug Offence, there are still other provisions that relate to Illegal Drugs. These provisions have been **highlighted in blue** to indicate that it is up to the NSO as to whether they wish to include any or all of these clauses, or make any amendments to these provisions. [Serious Drug Offence means an offence under a Commonwealth, state or territory law that prohibits the Possession or Trafficking in a drug or psychoactive substance]
- Sport Integrity Australia will work closely with the sports who put forward feedback specific to their sport as part of the adoption process.
- Sport Integrity Australia is committed to working with any sport that wishes to adopt a separate Illicit Drugs Policy.

Educational Resources

- A hyperlink to Sport Integrity Australia's website has been included in the Policy to assist Relevant Persons to access resources that support Policy implementation and education. (This is located in the Education clause, under the Other Matters section.)

Competition Manipulation and Sport Gambling Policy

Following from the version of the policy sent out to stakeholders for comment in April 2023, Sport Integrity Australia has made further revisions to the Competition Manipulation and Sport Gambling Policy after consideration was given to the feedback and suggestions received.

Definitions

- Some of the definitions have been updated to reflect changes made to the CDDP, such as the definition of the 'National Integrity Framework', and a clause has been added to note that any capitalised term that is not defined (such as Relevant Policies) has the meaning given in the CDDP.

Jurisdiction

- The Policy makes clear that allegations of Prohibited Conduct should be submitted to the NSO. The responsibility for investigation of potential breaches will remain with the NSO, noting the support of SIA is available and key in ensuring that the most relevant information and intelligence is available to assist.

Flexibility

- The Policy has flexibility and options built in for NSOs to be able to adapt the provisions and examples to suit the desired approach in their sport and provide more relevant examples to their participants.

Education

- A hyperlink to Sport Integrity Australia's website has been included in the Policy to assist Relevant Persons to access resources that support Policy implementation and education. (This is located in the Education clause, under the Other Matters section.)

Other matters

- Reporting
 - Reporting mechanisms in the Policy for Olympic program sports can be tailored for compliance with International Olympic Committee and Australian Olympic Committee requirements.
- Referrals
 - Sport Integrity Australia is able to assist with law enforcement contact details and/or referrals relating to competition manipulation and sport gambling matters.