

SCOPE

This Code of Conduct applies to all members (**Members**) of any Standing Committee constituted by the Football NSW Board from time to time.

PURPOSE

At Football NSW the Standing Committees play an integral role in bringing a closer alignment and connection between the Football NSW Board and the football community.

The proper functioning of each Standing Committee requires that the discussions are open, constructive and transparent.

This Code of Conduct sets the ethical and behavioural standards expected of all members of a Standing Committee.

CONDITIONS

- (a) A Member must act honestly, in good faith and in the best interests of Football NSW as a whole.
- (b) A Member has a duty to use care and diligence in fulfilling their functions and exercising the powers attached to that Standing Committee.
- (c) A Member must use the role on the Standing Committee, in the best interests of Football NSW as a whole.
- (d) A Member must recognise that the primary responsibility is to Football NSW as a whole, but should, where appropriate, have regard for the interests of all stakeholders of Football NSW.
- (e) A Member must not make improper use of information acquired as a member of a Standing Committee.
- (f) A Member must not take improper advantage of the position of a member of a Standing Committee.
- (g) Confidential information received by a Member in the course of the exercise of his or her duties as a member of a Standing Committee remains the property of Football NSW and it is improper to disclose it, or allow it to be disclosed, unless that disclosure has been authorised by the Football NSW Board, or is required by law.
- (h) A Member should not engage in conduct likely to discredit Football NSW or be detrimental to the interests of Football NSW.
- (i) A Member has an obligation, at all times, to comply with the spirit, as well as the letter of the law and with the principles of Code of Conduct.

COMPLAINTS HANDLING PROCEDURE

Complaints

An allegation that a Member has breached this Code of Conduct (“complaint”) may be made by the following persons:

- a Director of Football NSW;
- a member of the Executive of Football NSW;
- a registered Member of Football NSW; or
- a Member of a Standing Committee.

(each a complainant).

Complaints Handling Process

A complaint shall be dealt with in accordance with the procedures set out below:

Written complaints

A complaint must:

- be in writing;
- specify which section of this Code of Conduct is alleged to have been breached and contain particulars of the alleged breach; and
- include any available supporting material.

Referral of complaint to Legal Counsel

A written complaint should be marked "confidential" and submitted to Legal Counsel of Football NSW.

Trivial or frivolous complaints

If Legal Counsel determines that the complaint is trivial, vexatious or frivolous, Legal Counsel may dismiss the complaint without referring the complaint to the relevant Member. Legal Counsel must promptly notify the complainant in writing of any determination to dismiss a complaint under this paragraph.

Further action

Unless Legal Counsel determines that a complaint is trivial, vexatious or frivolous, as soon as practicable after receiving the complainant, Legal Counsel:

- must notify the relevant Member of the complaint and forward a copy of the complaint to the relevant Member with that notice;
- must allow the relevant Member not less than 5 Business Days after the date of the notice to comment on the complaint; and
- may request the relevant Member to provide a written response in relation to the complaint within 7 Business Days after the date of the notice or such later date as is specified in such notice.

Initial review

After receiving and considering the relevant Member's comment or response to a complaint, Legal Counsel should either:

- dismiss the complaint (in which case Legal Counsel must promptly notify the complainant and the relevant Member of Legal Counsel's decision to dismiss the complaint); or
- refer the complaint to the Football NSW Board (in which case Legal Counsel must promptly notify the complainant and the relevant Member of Legal Counsel's decision to make that referral).

Investigation by the Board

- Upon the referral by Legal Counsel to the Board of a complaint, the Board will investigate the complaint to determine whether or not in the opinion of the Board a breach of this Code of Conduct has occurred and, if so, the appropriate sanctions to be applied in the circumstances.

The Board will:

- give consideration to the serious consequences of a finding that there has been a breach of this Code of Conduct by the relevant Member; and
- make a finding whether in their opinion a breach of this Code of Conduct has occurred on the basis of the balance of probabilities.

Sanctions

If the Board finds that there has been a breach of this Code of Conduct then, having regard to the severity of such a breach, the Board should then impose such sanctions as it considers appropriate which may include (but are not limited to) one or more of the following:

- suspend a Member from participating in any discussions relevant to a Standing Committee until further notice; or
- terminate a Member's appointment on a Standing Committee.