



# NSWIS Athlete Disciplinary Guidelines

Commencement: 1 January 2017

Review: 31 December 2020

Responsible officer: Director, High Performance  
Manager, Human Resources

Approved by: CEO NSW Institute of Sport

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## **Objective**

The NSW Institute of Sport is committed to maintaining appropriate standards of conduct and performance from its Athletes. The Athlete Scholarship Agreement outlines the expectations and these Guidelines outline consequences for non-compliance.

These Guidelines are intended to provide a transparent, rigorous and procedurally fair process to manage breaches in Athlete Scholarship Agreements or any NSWIS Policy or Procedure which would bring NSWIS into disrepute and outlines the corrective and/or disciplinary measures available for consideration.

## **General Principles**

Timeliness – has regard to matters such as

- The complexity of the issue
- The need to seek external or internal expert advice
- The impact of delay on the fairness of the process

Procedural Fairness – ensures an individual rights or interests are protected. A fundamental rule of procedural fairness would be that an Athlete is advised of any allegation of a breach and be given the right of reply.

## **Parameters**

Instances of breaches in the Athlete Scholarship Agreement are to be brought to the attention of the Head Coach of the Sport. The Head Coach is to refer the matter to the Director, High Performance.

Breaches will be investigated with reference to the Steps outlined in the NSWIS Grievance Handling and Dispute Resolution Policy.

The recommendation from this process will inform the activation or otherwise of these Disciplinary Guidelines. These Guidelines are designed to provide a suite of choices to discipline an Athlete. Each case will be considered individually, on its merits, with sport partners, based on the circumstances and the severity of the breach. Decisions are to be applied consistently.

## **References**

- Individual Athlete Scholarship Agreement
- NSWIS Grievance Handling and Dispute Resolution Policy
- NSWIS Harassment, Bullying and Discrimination Policy
- NSWIS Code of Conduct
- NSWIS Selection Guidelines

## **Disciplinary Measures**

The recommendation for disciplinary action must take into consideration:

- The severity of the breach
- The impact of the breach
- Any mitigating or compounding circumstances
- The attitude, experience, knowledge and past behavior of the Athlete
- Consistency in recommendation of disciplinary action
- Consistency with sport partner recommendation of disciplinary action, where relevant

Based on consideration of the above recommended disciplinary action can be, but is not limited to, one or more of the following:

- Issuing a reprimand and/or caution
- Development of a Behavior Improvement Plan
- Compulsory re-education or training program
- Issuance of a formal apology or contraction
- Counselling
- Suspension\*
- Termination of Agreement\*

The Disciplinary measure to be imposed and the reasoning supporting the decision will be advised to the Athlete in writing.

## **Right of Appeal**

An NSWIS Athlete has the right to Appeal the decision regarding the disciplinary action. The Appeal is to be made in writing to the NSWIS CEO, or, the Board where the action is suspension or termination, within 48 hours of the letter being received. A response to the Appeal from the CEO will be issued within 48 hours.

The CEO's decision is final.

**\* Scholarship Suspension / Termination**

*As outlined in NSWIS Selection Guidelines, an athlete's scholarship may be suspended or terminated where s/he breaches the NSWIS Athlete Agreement, Code of Conduct, Sport Code of Conduct (or equivalent) and/or brings the Institute and / or the Sport into disrepute.*

*In this instance the NSWIS CEO, in consultation with the Sport Partners, will recommend to the NSWIS Board, the suspension or termination of the athletes scholarship.*

*The NSWIS Board is the only body that has the power to terminate or suspend an athlete scholarship. The athlete, Head Coach and Program Partners will be advised in writing of the outcome.*