

Cycling Australia National Team/Squad Discipline Policy and Procedures

(January 2004)

- 1.1. Any member of the Australian Cycling Federation (ACF) who is selected or appointed to a national cycling Team or Squad shall behave in an exemplary manner befitting representation in an Australian national sporting team.
- 1.2. Any member of a National Team or Squad (including athletes, coaches and officials) alleged to have committed an act of misconduct or breached the Code of Conduct ("Code"), may be counselled and/or disciplined.
- 1.3. The process of dealing with matters of alleged misconduct or breaches of the Code shall be in accordance with the provisions of Rule 1.17 of the ACF Constitution and Rules 2.10, 2.11, 2.12, 2.13 and 2.14 of the ACF By-Laws.
- 2.1. The High Performance Manager and/or National Head Coach, or in their absence, the respective National Team/Squad Manager* (Team Management), shall be responsible for ensuring that Team/Squad members comply with the Code and for team discipline.
- 2.2. The Team Management shall be responsible for immediately commencing an investigation of any alleged breach. Unless extenuating circumstances prevail, the investigation and determination of any alleged breach must be completed within seven (7) days of notification of its occurrence.
- 2.3. Should the Team Management be unable to satisfactorily conclude the investigation within 7 days of notification of its occurrence, they may then refer the matter to the ACF Board of Management within 7 days of notification of its occurrence. The Board shall deal with the matter in accordance with the provisions of the ACF By-Laws.
- 2.4. No one involved in the incident or actions of any alleged breach shall be involved in its investigation.
- 2.5. Where the Team Management is involved in the incident or actions, the matter shall be referred directly to the ACF Board of Management.
- 3.1. The Team Management shall advise the person(s) concerned in writing of any alleged breach.
- 3.2. In accord with the principals of natural justice, the persons concerned must be interviewed and provided with the opportunity to answer the allegations and/or the assertions presented by any witnesses.
- 3.3. A written record of the interview or a statement by the person(s) concerned must be recorded and signed with the agreement of the person(s) concerned. Should such person refuse to sign the record of interview or statement then a notation to that effect is to be made on the record of interview or statement.
- 3.4. The person(s) concerned may be accompanied by an adult person(s) of their choice during any interview or hearing. This is a mandatory requirement where the person(s) concerned is under the age of 18 years.

** Where a team or squad does not have an appointed Manager or the HPM or NHC are not present, the appointed Coach is deemed to be the Team Manager.*

- 3.5. The person(s) concerned may seek legal advice however, in accord with the ACF By-Laws, legal advocacy or representation is not permitted during a disciplinary or appeal hearing.
- 4.1. At the completion of the investigation, and upon the obtaining of records of interview /statements, the Team Management shall then make a determination in writing and be signed by those persons making the determination.
- 4.2. Where the person(s) concerned is found to have committed any breach, Team Management shall then determine if the person(s) should be
 1. counselled,
 2. issued with a reprimand, or
 3. given a penalty in accord with Rule 2.10.01 of the ACF By-Laws, as follows;
 - 1 Suspension from any competition for a specified time;
 - 2 Monetary fines of any specified amount payable within any specified period of time;
 - 3 Forfeiture of any competition prizes as specified;
 - 4 Any other disciplinary action in accordance with the objects of the ACF as per Rule 1.17 of the Constitution.
- 4.3. The person(s) concerned must be advised immediately of the determination and any penalties imposed and provided with a copy of the written determination.
- 4.4. Where a penalty is imposed the person(s) must be advised that they have a right of appeal in accord with Rule 2.14 of the ACF By-Laws.
- 4.5. The person(s) concerned should be provided with written advice of the Team Management's determination and their right of appeal, within 24 hours of finalising their determination.
- 5.1. Any Appeal against a decision or penalty imposed by Team Management must be lodged in writing with the Chief Executive Officer (CEO) of the ACF within seven (7) days of being advised of the decision or penalty.
- 5.2. The request for appeal must include:
 - a) The grounds for appeal
 - b) Reasons supporting the grounds for appeal
- 5.3. An appeal fee of \$275 must accompany such an appeal. If the appeal is successful the fee shall be refunded.
- 5.4. The CEO shall expedite the implementation of the appeal procedure in accord with Rule 2.14.
- 6.1. The Team Management shall lodge a written report with the CEO within 7 days of determining the matter – or sooner if required to expedite an appeal hearing. Such a report shall include:
 - Name(s) of person(s) concerned
 - Allegations against the person(s)
 - Description of the breach of the Code or act of misconduct, a chronology of events, including any prior warnings that may have been issued, where applicable.
 - Statement from the person(s) concerned or record of interview
 - Statements or reports from other witnesses
 - The determination of Team Management
 - Attach all communications with the person(s) concerned