



# Behaviour Management Policy

Effective Date – 2 July 2024

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# 1. Policy Overview

## 1.1 Introduction

Football West is the sole governing body for football in Western Australia and represents all levels of competition, development and coaching in metropolitan and regional areas. The world game is a powerful and unifying force in the WA community, bringing together football fans and participants regardless of age, gender or ethnicity.

With over 230,000 participants, Football West, which is affiliated to FA and FIFA, has created an environment that brings the game to life on parks, pitches and indoor centres around the state.

Football West nurtures and encourages the next generation of players through pathways that have also been developed for coaches and match officials to pursue their dreams and aspirations.

## 1.2 Context

The FA National Code of Conduct and Ethics and the Code of Conduct establish the standards of behaviour expected of Associations, Clubs and participants and helps foster positive environments in which football can be played and enjoyed. It is important that when behaviour falls below those standards, the issues are dealt with quickly and decisively.

## 1.3 Purpose

The purpose of this Policy is to ensure that all Football West Employees, Associations, Clubs and participants:

- Understand the process in dealing with breaches of the National Code of Conduct and Ethics; and;
- Conform to the National Code of Conduct and Ethics, the National Disciplinary Regulations, the Code of Conduct and the Disciplinary & Grievance Regulations.

## 1.4 Audience

This Policy applies to all organisations affiliated with Football West and their members and volunteers.

## 1.5 Responsibilities

The following responsibilities have been assigned:

Role	Function
CEO	<ul style="list-style-type: none"><li>• Approve this Policy and any amendments.</li></ul>
CFO and COO	<ul style="list-style-type: none"><li>• Implement this Policy.</li><li>• Review this Policy and recommend changes to the CEO for consideration.</li></ul>
Managers	<ul style="list-style-type: none"><li>• Adopt and promote this Policy and incorporate its key elements in plans and budgets.</li></ul>
Employees	<ul style="list-style-type: none"><li>• Adhere to this Policy in performing their specific functions.</li></ul>
Associations, Clubs and Participants	<ul style="list-style-type: none"><li>• Adhere to this Policy in all activities.</li></ul>

## 1.6 Authority

This Policy derives its authority from the CEO. The Policy is effective from the date of CEO approval.

## 1.7 Review

This Policy will be reviewed and updated biennially or earlier as required.

## 1.8 Breach of this Policy

A breach of this Policy may result in disciplinary action in accordance with the Code of Conduct or the Disciplinary and Grievance Regulations.

## 1.9 Availability of this Policy

This Policy will be available to all Associations and Clubs on the Football West website.

# 2. Policy Statement

## 2.1 Compliance with Regulatory Documents

The Code of Conduct and Spectator Code of Behaviour refer to consequences for breaching each of the codes. The Disciplinary and Grievance Regulations (the Regulations) outline in further detail the process and sanctions for disciplinary procedures. The Regulations can be found at:

[Disciplinary and Grievance Regulations](#)

## 2.2 Resolution Processes for Associations and Clubs

In some circumstances, Associations and Clubs may wish to, or be required to, manage poor behaviour internally. In these situations, the *Associations Incorporations Act 2015* (WA) (the Act) requires that every Club's constitution contains provisions for the resolution of disputes.

The process outlined in the model rules involves the following:

- the people involved in the dispute must try to resolve the dispute between themselves within 14 days of the dispute coming to the attention of each party involved.
- if the dispute isn't resolved any party to the dispute may start the dispute resolution procedure by notifying the secretary in writing of the parties to the dispute and the matters that are the subject of the dispute.
- the committee must meet to consider and determine the dispute and notify each party to the dispute (in the form prescribed by the rules) of the proposed committee meeting at least 7 days before the meeting is held.
- there is an opportunity for a mediator to be appointed to assist in the matter.

## 2.3 Disciplinary Procedures for Associations and Clubs

Associations and Clubs may discipline members. Disciplinary action is taken when a member has breached the rules or engaged in other improper behaviour and can include a sanction, a fine, or a suspension or cancellation of membership, depending on your rules.

Under these rules, the grounds where disciplinary action can be taken are where a member:

- has failed to comply with the rules, or
- acts in a manner contrary to the interests of the Association or Club.

The model rules allow a member whose membership is suspended or who is expelled from the association written notice to the secretary requesting the appointment of a mediator. This must be done within 14 days of receiving notice of the committee's decision.

## 2.4 Intervention by Football West

In some circumstances, Football West may intervene in actions that are contrary to the Behaviour Management Policy. For example, where poor behaviour is directed towards another club or a participant who is not from the same club.

In these circumstances, Football West will apply the existing disciplinary or grievance resolution rules that may be in place at the time.

## 3. Useful Resources

### 3.1 Statutes, Policies and Other Official Documents

- a) [Associations Incorporation Act 2015 \(WA\)](#)
- b) [FA Code of Conduct](#)
- c) [Disciplinary and Grievance Regulations](#)
- d) [Spectator Code of Behaviour](#)

### 3.2 Websites

- a) [Dealing with Disputes & Grievances – Not-for-Profit Law](#)
- b) [Department of Commerce – Associations and Clubs](#)

## 4. Internal Reporting and Communication

Football West will develop and implement key performance measures to assess the effectiveness of the Policy.

These measures will be reported upon by the CEO at least annually to the Board for review and any further action.

## 5. Definitions and Interpretation

### Definitions

The following capitalised terms, when not appearing in headings, have the following meanings when used in this Policy. Capitalised terms used in the Constitution bear the same meaning when those terms are used in this Policy.

**Act** means the *Associations Incorporation Act 2015 (WA)*.

**Association** means a body corporate or incorporated Association recognised by Football West as representative of Clubs or Players.

**Behaviour Management Policy** means the Behaviour Management Policy published by Football West as amended from time to time.

**Board** means all or some of the Directors of Football West acting as a board.

**CEO** means the Chief Executive Officer.

**CFO** means the Chief Financial Officer.

**COO** means the Chief Operating Officer.

### **Club means:**

- a) a body corporate or incorporated Association recognised by Football West and that organises teams to participate in competitions sanctioned by Football West or FA; or
- b) any legal entity considered to be a Club by Football West.

**Code of Conduct** means the Code of Conduct published by Football West as amended from time to time.

**Company** means Football West.

**Director** means a director of the Company.

**Disciplinary and Grievance Regulations** means Disciplinary and Grievance Regulations published by Football West as amended from time to time.

**Employee** means an employee of Football West.

**FA** means Football Australia ACN 106 478 068.

**FIFA** means Fédération Internationale de Football Association.

**Football West** means Football West Limited ACN 109 919 324.

**Match** means any football match played in Western Australia under the auspices of Football West, FA or an Association or otherwise played under Football West's direction or control.

**Match Official** means a referee, assistant referee, fourth official, referee assessor or match commissioner or any other person appointed by Football West or a Competition Administrator to assume responsibility in connection with a Match.

**Policy** means this Football West Policy as amended from time to time.

**Spectator Code of Behaviour** means the Spectator Code of Behaviour published by Football West as amended from time to time.

## Interpretation

Unless the context otherwise requires:

- headings are for convenience of reference only and do not affect interpretation;
- references to any gender include all genders;
- references to the singular apply to the plural and vice versa;
- references to a person include any other entity recognised by law and vice versa;
- where a word or phrase is defined, its other grammatical forms have a corresponding meaning;
- any reference to a paragraph number refers to a paragraph in the same sub-section unless otherwise stated;
- any reference to a party to this document includes its successors and permitted assigns;
- any reference to any agreement or document includes that agreement or document as amended at any time;
- the use of the word includes or including is not to be taken as limiting the meaning of the words preceding it;
- the expression at any time includes reference to past, present and future time and the performance of any action from time to time;
- reference to a statute includes all regulations and amendments to that statute and any statute passed in substitution for that statute or incorporating any of its provisions to the extent that they are incorporated; and
- all monetary amounts are inclusive of GST unless stated otherwise.