

Standing Committee Delegates Code of Conduct

SCOPE

This Code of Conduct applies to all Delegates of any Standing Committee constituted by Football West from time to time.

PURPOSE

The Standing Committees play an integral role in bringing a closer alignment and connection between the Football West 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 Delegates of a Standing Committee.

CONDITIONS

1. A Delegate must act honestly, in good faith and in the best interests of football and Football West.
2. A Delegate has a duty to use care and diligence in fulfilling his or her functions and exercising the duties attached to that Standing Committee.
3. A Delegate must use his or her role on the Standing Committee in the best interests of football and Football West.
4. A Delegate must not make improper use of information acquired as a Standing Committee Delegate.
5. A Delegate must not take improper advantage of the position of Standing Committee Delegate.
6. Confidential information received by a Delegate in the course of the exercise of his or her duties as a Standing Committee Delegate remains the property of Football West and it is improper to disclose it, or allow it to be disclosed, unless that disclosure has been authorised by the Football West Board or is required by law.
7. A Delegate should not engage in conduct likely to discredit Football West or be detrimental to the interests of Football West.
8. A Delegate has an obligation, at all times, to comply with the spirit, as well as the letter of the law and with the principles of this Code of Conduct.

COMPLAINTS HANDLING PROCEDURE

Complaints

An allegation that a Delegate has breached this Code of Conduct may be made by the following persons (each a complainant):

- a Director of Football West;
- a member of the Executive of Football West;
- a Member of Football West; or
- a Delegate of a Standing Committee.

Complaints Handling Process

A complaint must 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 the Chief Executive Officer

A written complaint should be marked "Confidential" and submitted to the Chief Executive Officer (CEO) of Football West.

Trivial or Frivolous Complaints

If the CEO determines that the complaint is trivial, vexatious or frivolous, he may dismiss the complaint without referring the complaint to the relevant Delegate. The CEO must promptly notify the complainant in writing of any determination to dismiss a complaint under this paragraph. Any decision made by the CEO to dismiss a complaint under this paragraph is final and not open to appeal.

Further action

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

- must notify the Delegate who is the subject of the complaint and forward a copy of the complaint to that Delegate with that notice;
- must allow the Delegate who is the subject of the complaint not less than 5 business days after the date of the notice to comment on the complaint; and
- may request the Delegate who is the subject of the complaint 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.

Referral to the Board of Directors

After receiving and considering the relevant Delegate's comment or response to a complaint, the CEO must refer the complaint and all relevant materials to the Board of Directors of Football West.

Board Decision

The Board may, after consideration of all the relevant circumstances, make a finding that:

- this Code of Conduct has been breached; or
- this Code of Conduct has not been breached; or
- there is insufficient evidence to support a decision as to whether this Code of Conduct has been breached.

Action by the Football West Board

The Board may take any action it considers appropriate in all the circumstances, including the Suspension or Removal of the Delegate in accordance with the Football West By-Laws.