



BASKETBALL WA

Basketball WA Advisory Group Code of Conduct

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BWA Advisory Group

Code of Conduct



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1 Overview and Purpose

Basketball WA (BWA) advisory groups play a critical role in ensuring an alignment between BWA and the wider basketball community. Importantly, these groups ensure BWA remains connected to associations and other stakeholders, while also collecting appropriate information to best-inform management decisions.

Each advisory group requires collegiate and robust dialogue that is transparent, respectful, and constructive.

This Code of Conduct sets the ethical and behavioural standards expected of all members of an advisory group. If a member of an advisory group is also a BWA member, they remain bound by Basketball Australia's National Integrity Framework, and BWA's policies and constitution.

Current advisory groups (but not limited to):

- Performance and Development
- Regional Development
- Junior Competitions
- Female Participation
- Technical Officials
- Selections and Appointments Committee (NBL1 West)

2 Scope

This code of conduct applies to all members of advisory groups established by the BWA executive management team from time to time.

3 Conduct

An advisory group member will:

- Act honestly, in good faith and in the best interests of basketball and BWA,
- Have a duty to use care and diligence in fulfilling their functions and exercising the duties attached in the Terms of Reference for that advisory group,
- Not make improper use of information acquired as an advisory group member,
- Not take improper advantage of the position of an advisory group member,
- Acknowledge confidential information received by an advisory group member while exercising their duties as an advisory group member remains the property of BWA and it is improper to disclose it, or allow it to be disclosed, unless that disclosure has been authorised by BWA executive management or is required by law,
- Not engage in conduct likely to discredit BWA or be detrimental to the interests of BWA and
- Be obliged, at all times, to comply with all legal requirements, this Code of Conduct and all other Basketball Australian / BWA governance.

Code of Conduct

4 Complaints Handling Procedure

4.1. Complaints

An allegation that an advisory group member has breached this Code of Conduct or any other Basketball Australia or Basketball WA governance can be made by any persons (a complainant).

4.2. Complaints Handling Process

A complaint must be dealt with in accordance with the procedures set out below.

Written Complaints:

A complaint can be:

- Received verbally or in writing (and received via recognised reporting sites),
- Specify which section of this Code of Conduct (or other governance) is alleged to have been breached and contain particulars of the alleged breach and
- Include any available supporting material.

Trivial or Frivolous Complaints:

If the Association Development Manager determines the complaint is trivial, vexatious or frivolous, they may dismiss the complaint without referring the complaint to the relevant advisory group member. The Association Development Manager must promptly notify the complainant in writing of any determination to dismiss a complaint under this paragraph. Any decision made by the Association Development Manager is final and not open to appeal.

Further Action:

Unless the Association Development Manager determines a complaint is trivial, vexatious or frivolous, as soon as practicable after receiving the complaint, they:

- Must notify the advisory group member who is the subject of the complaint and forward a copy of the complaint to that delegate with that notice,
- Must allow the advisory group member who is the subject of the complaint not less than five business days after the date of the notice to comment on the complaint and
- May request the advisory group member who is the subject of the complaint to provide a written response in relation to the complaint within seven business days after the date of notice or such later date as is specified in such notice

Referral to the BWA CEO:

After receiving and considering the relevant advisory group members comment or response to a complaint, the Association Development Manager must refer the complaint and all relevant materials to the BWA CEO, inclusive of a recommendation that:

- This Code of Conduct has been breached or

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- 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.

BWA CEO Decision and Action:

The CEO may accept, reject, or request further information based on the Association Development Manager's recommendation/s.

The CEO may take any action it considers appropriate in all the circumstances, including the suspension or removal of the advisory group member in accordance with the BWA Terms of Reference for each advisory group.

Right of Appeal:

The Associations Development Manager will issue a Breach Notice to the respondent following acceptance of the recommendation. The respondent will then have 14 days to lodge an appeal based on two criteria.

1. The sanction is manifestly unjust
2. They believe there has been an error in judgement.

The appeal should be accompanied with reasons and further evidence to support the above criteria. If the appeal is accepted the matter will be referred to an independent tribunal to be heard.

The decision of the tribunal is final.