



Winning isn't Everything

Feature articles

- **Implementing your policies and codes: A practical checklist**
- **Workforce diversity breaks down cultural barriers**
- **Regulating sport related concussion: Taking steps toward a public-private partnership**

Plus

Let's talk race: A guide on how to conduct conversations about racism

Guidelines for the inclusion of transgender and gender diverse people in sport

New Case Studies

A Parents' Guide to Clean Sport

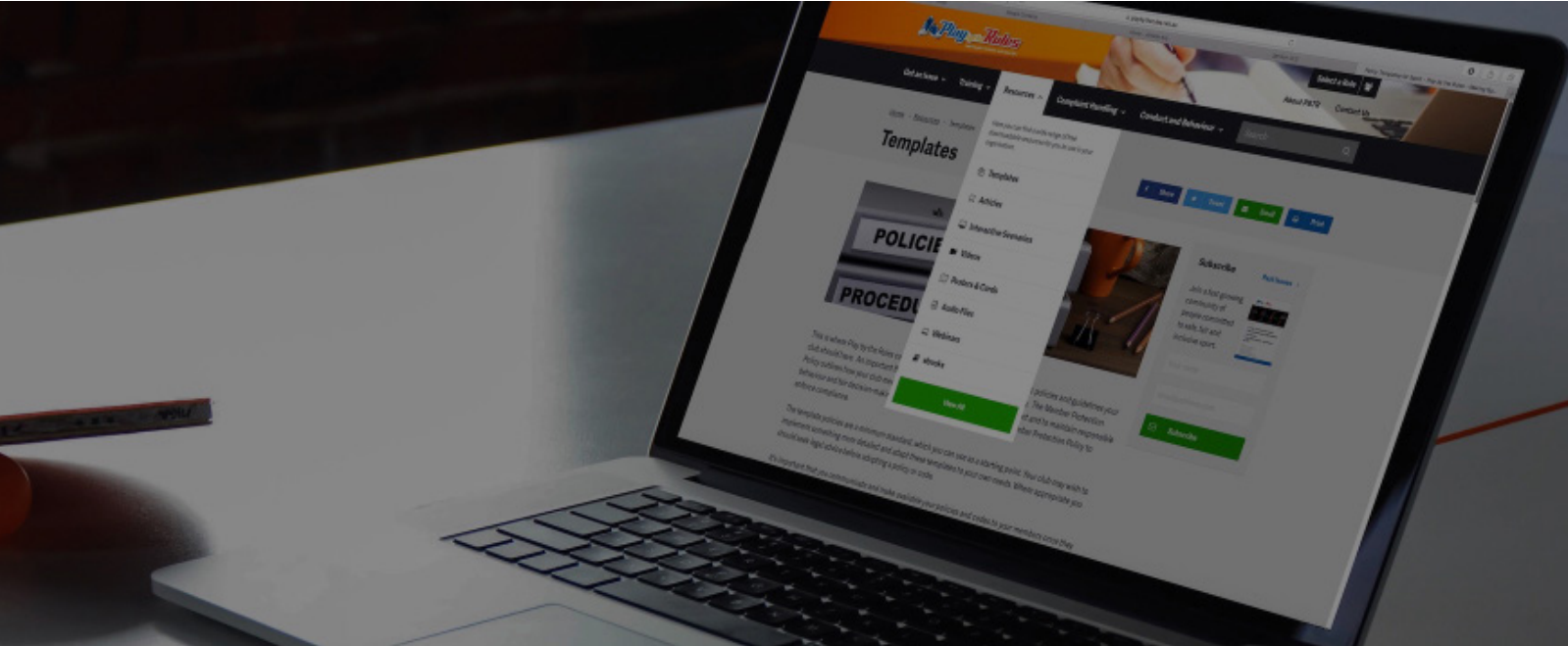


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THE EDITOR

The past three months since the March magazine release has been a very busy time, with lots of positive things happening to help keep sport safe, fair and inclusive.

The Australian Human Rights Commission is a key partner of Play by the Rules. They've recently released two guidelines that you will find links to in this issue. The first, Let's talk race: A guideline on how to conduct conversations about racism, is a very practical resource designed to help you start a discussion on a difficult topic—racism. The second is pretty much a world first—Guidelines for the inclusion of transgender and gender diverse people in sport. The conversations around this topic have been largely focused on elite sport, but this resource is geared towards community sport.

We also profile the work of Belgravia Leisure who have also been busy, and seen great success, with their workforce diversification initiative. There are two ANZSLA articles too, giving you some practical help with implementing policies and codes, and a follow-up article from the September 2017 issue on sport-related concussion.

And regular contributor Clyde Rathbone tells a personal tale that taught him a valuable lesson—that winning isn't everything!



Peter Downs
Manager - Play by the Rules

News:

Let's talk about race: A guide on how to conduct conversations about racism

Talking about racism can be difficult. Many sporting organisations do not discuss racism until they are faced with an incident, such as a derogatory comment made by one person to another, or an instance of offensive behaviour. In the aftermath of a racist incident, sporting organisations may not be well prepared to navigate the issues arising with the appropriate level of care.

An overt incident may also be seen as an isolated occurrence rather than an indication of a more systemic problem. This may lead those who have experienced racism to feel unsupported, and risk more incidents happening in the future.

A new approach is needed. Australian sporting organisations would benefit from dealing with racism in a proactive rather than a reactive way. This will make sporting organisations more inclusive and resilient. It will also have important social and cultural impacts outside of the organisation.

Play by the Rules partner, the Australian Human Rights Commission, has developed a guide to assist Australian organisations in conducting meaningful and productive conversations about racism. It can be used in conventional workplaces, including sporting clubs, as well as other organisations. While it is designed to be useful as a proactive document, it can also be used to assist in facilitating conversations about racism after an incident has occurred.

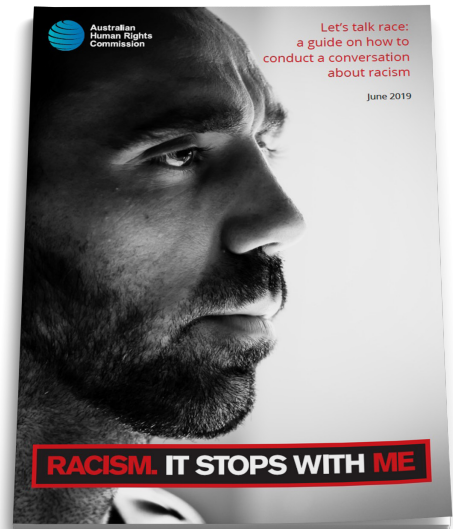
The guide is divided into three parts.

PART 1 provides information on cultural diversity in Australia, including Aboriginal and Torres Strait Islander people.

PART 2 contains detailed guidance on how to conduct a conversation about racism in your organisation, and contains links to relevant resources for facilitators and a Participant Information Sheet.

PART 3 is a guide on how to keep a conversation about racism on track. It contains common statements that people may make to try to derail a conversation about racism and provides suggestions on how to respond respectfully.

To get your copy of Let's talk race: A guide on how to conduct conversations about racism go to <https://www.humanrights.gov.au/our-work/race-discrimination/publications>



Guidelines for the inclusion of transgender and gender diverse people in sport

Sport Australia has joined forces with the Australian Human Rights Commission and the Coalition of Major Professional and Participation Sports to launch new guidelines for the inclusion of transgender and gender diverse people in sport.

The guidelines are important reading for community sports and a significant step forward in addressing issues that many sports find challenging.

The guidelines provide:

- information about the operation of the federal Sex Discrimination Act 1984, and
- practical guidance for promoting inclusion in line with fundamental human rights-based principles

In 2015, the Commission published a report based on consultations with lesbian, gay, bisexual, transgender and intersex (LGBTI) communities. Those surveyed raised concerns about the lack of participation of transgender and gender diverse people in sport.

Sporting organisations have identified the need for national guidance on how they can be inclusive of transgender and gender

diverse people, and the operation of relevant anti-discrimination laws, while also protecting the health and safety of all players.

In addressing any concerns about player health, safety and wellbeing, sporting organisations should have regard to the relevant laws, rules, regulations, policies and practices for their sport.

To download your copy of the guidelines go to <https://www.humanrights.gov.au/our-work/lgbti/publications/guidelines-inclusion-transgender-and-gender-diverse-people-sport-2019>



Feature article:

Workforce diversity breaks down cultural barriers

Contemporary society is complex, underpinned by constant change and challenge. Sport has always been a key part of Australian society, initially through First Nations people's games and play activities, and now through a myriad of sport and recreation activities that reflect the rich mix of cultures that make up communities across the nation.

Our environment interacts with our sport and recreation activities, and sometimes that environment creates great risk for people. Drowning among multicultural communities is a contemporary example of that risk. The Australian Water Safety Council (AWSC) is providing leadership on this critical matter, and has released a call to action everyone should read.

Among the actions recommended is community engagement to build closer ties between the drowning prevention sector and multicultural communities. Typically, drowning prevention has focussed on developing water safety and swimming behaviours among people who get in or are around water, but implicit in this is the assumption that providers of this service are inclusive, welcoming and supportive of people of diversity.

Recognising this, among the suggested approaches of the AWSC is to provide training and employment opportunities for multicultural communities who can act as role models and increase social cohesion – in effect, act as

'conduits for connecting' multicultural communities to opportunities to learn water safety and swimming behaviours. Good evidence confirms the 'business' value of having a diverse workforce that reflects the community in which an organisation operates, however small or large.

Auburn Ruth Everuss Aquatic Centre, operated by Belgravia Leisure on behalf of Cumberland Council, is a shining light for inclusion and diversity, and through community engagement and collaboration, has led the way on workforce diversification with amazing outcomes, showcased by SBS News and broadcast Australia-wide.

Impetus for the initiative came about through some minor misbehaviour among a group of young men of diversity, responded to by astute management. Instead of reprimanding and excluding, David Burns (Manager) offered the group the opportunity for training and work! Initially suspicious but intrigued, the group sought help from their teacher at Bankstown Senior College, Maria Pascalis, who checked and found the offer was genuine.

Through a shared commitment to inclusion, David and Maria set about engaging other community organisations and stakeholders to create an opportunity for five young men of Arabic background to undertake training and of applying for and then undertaking paid work in an aquatic centre.

Bankstown Senior College provided the funding for Life Guard training, which was delivered by Jeff Moss, a registered RLSSA Life Guard trainer with over 20

years' experience. But a problem emerged: at the end of the training, the group had not achieved the required standard for swimming ability. Not deterred, and having been won over by the 'most attentive group I have ever trained', Jeff completed a 1,200km round trip and an extra days training to guide the group to the required standard – at no cost!

Seasonal employment opportunities at pools spike over summer, and the group was encouraged to apply for work. Each was helped by Maria to prepare an application, and each was offered a job 'interview'.

In the spirit of genuine inclusion, and recognising that a standard job interview approach would likely disadvantage these young men, senior managers Pauline McCann and Jon Jamsek modified the approach to enable applicants to show what they could do, rather than describe in English – not their first language – what they should do. Job offers were made to the group over two intakes, with each working during the summer.

Through joining the staff team at Auburn Ruth Everuss Aquatic Centre, immense benefits have occurred – too many to describe in the space available but key highlights demonstrate the importance of the initiative.

Each of the group reported enhanced work skills and confidence, improvements in use of English, friendships with people outside of their cultural group, a sense of pride at being valued, respected and offered leadership roles which carried substantial responsibility, and being able to

contribute financially to their family.

In the workplace, so good were these young men at their jobs, they became the standard bearers for excellence in job performance, relied upon by co-workers and managers. Colleagues reported improved cultural awareness and social cohesion, epitomised by genuine friendship groups which developed and socialised away from work.

Community benefits also emerged. Improved access and inclusion among people of Arabic backgrounds emerged leading to increased program enrolments and venue patronage, enabled through breaking down language barriers and a sense of welcome and belonging through seeing members of their cultural group on staff.

The immense success of this workforce diversification initiative has been a catalyst for expansion and replication. Four young women of diversity have completed training and been employed at Auburn Ruth Everuss Aquatic Centre. The RLSSA has contributed 15 scholarships for training of students of Bankstown Senior College, with Belgravia Leisure committing to employ all graduates in leisure facilities it operates in western Sydney as part of its' plan toward workforce diversification, improved access and inclusion.

David Burns (NSW Regional Manager, Belgravia Leisure) & Jeff Walkley (CEO, Belgravia Foundation)

Feature article:

Implementing your policies and codes: A practical checklist

Most sporting organisations today—at national, state, district or club level—have a range of policies, codes, rules or regulations to apply to their members, staff, coaches and volunteers.

Many sporting organisations' websites have links to a Constitution, Member Protection Policy, Social Media Policy, Code of Conduct, Extreme Weather Policy, Disciplinary Policy, Concussion or other health policy, and the like. That is all before one considers how the game is to be actually played by its rules. In fact, rarely does one find a link to the rules of the game.

Issues can arise on a field/court or in a pool in the course of competition. Most sports have in place tribunals, panels or juries—which have defined rules of procedure in place—for regular weekly hearings to deal with on-field incidents. The complainant is usually an on-field official who files a report of an incident and then gives evidence of what has occurred. These are made by senior experienced participants, sometimes with legal training, who are knowledgeable in the sport. In high profile sports, the matters are extensively reported in the media. It is made to look simple and with easy-to-follow procedures.

But many sports administrators are faced with infrequent complaints about conduct issues which occur off field or on social media. The policies and procedures are not within the customary experience of the administrators. When a complaint about such conduct is received, the sports administrator is faced with an array of policies and differing procedures in the application of those policies and, if it becomes necessary, in forming or dealing with a tribunal. A sports

administrator, whether a volunteer in a local club or a paid professional in a state sporting organisation, who may have no legal training, suddenly must choose between various policies or codes which may overlap, and then apply and implement one or more of these.

It can be an overwhelming and onerous task. Unfortunately, if the organisation or administrator gets the process or procedure wrong, the complaint will be dismissed, the organisation or the administrator will be pilloried, and a person who should be punished is not penalised, and worse, may gloat publicly about the failings of the organisation. A determined or well-resourced respondent concerned about loss of reputation or financial loss may refer the matter to the civil courts, which are usually more concerned about proper process than the merits of the complaint.

An administrator receiving such a complaint needs to consider the following issues:

- (a) What is the appropriate policy or code which applies to the conduct?
- (b) Has the organisation formally adopted that policy/code, and:
 - (i) Is this the version which applies at the time of the conduct the subject of the complaint?
 - (ii) Can the committee minute adopting the relevant policy/code be located and produced? For example, numerous versions of Member Protection Policies have been produced by Sport Australia by state sporting equivalent organisations for state sporting organisations as templates; and by national sporting organisations which are intended to be adopted by state sporting organisations and

associations or clubs, but which may never have been formally adopted by the committee.

(iii) Is the person the subject of the complaint bound by the policy/code (that is, has the person signed a membership form or event entry form agreeing to be bound, or does some other legal rule apply binding the person)?

(c) Does the relevant policy/code specify procedures to be followed in any investigation or prior to the matter being referred to a tribunal, and are there specified time periods to be followed?

(d) Do the membership records contain relevant information about the contact details of the person who is the subject of the complaint, and specify how documents giving notice of the complaint and any hearing might be served? For example, older codes and records might not mention email.

(e) Are there any provisions in the policy/code about privacy or confidentiality to be observed or are there any separate privacy or confidentiality policies to be followed?

(f) Are there any provisions about holding a mediation of the complaint prior to it being referred to a tribunal?

Tribunal appointment and issues

The various policies or codes, whether disciplinary or member protection, have different provisions about forming a tribunal and the procedures to be followed at any hearing. The sports administrator may need to consider the following issues in relation to forming an ad hoc tribunal and any hearing:

(a) Is there a specification as to the composition of the tribunal and what people does the organisation have to be appointed (or must independent people be found and appointed?)

(b) Does the committee have to pass a formal resolution appointing those persons to the tribunal?

(c) Does the organisation have to give tribunal members indemnity, which may need to be part

of the committee resolution, and are they covered by the organisation's insurance policy against any claims and costs of any court action by a disappointed party? For example, if reasons are given, one party might bring a defamation claim against the tribunal members over statements in the reasons, or the disappointed respondent might bring an action in the civil courts naming the tribunal members and alleging that they exceeded their powers.

(d) What information should be given to tribunal members prior to any hearing?

(e) What notice of charge or complaint has to be provided to the respondent with what information and in what time limit, whether specified or for natural justice?

(f) Is there a disciplinary or other officer in the organisation who is acting as 'prosecutor' to lead evidence? It should not be a matter of just saying here is the 'complainant' and leaving the tribunal to its own devices to find out what the complaint is.

(g) What facilities are available to the tribunal for physical or electronic recording?

(h) If the tribunal must provide written reasons for its decision, does the organisation publish the reasons (redacted or otherwise) online or a summary of the outcome?

There are personal reputations at stake even in a small not-for-profit sporting body, so getting these issues correctly applied at the outset is critical to a proper process to ensure a fair outcome for all those involved.

It can be onerous for any sporting administrator to 'Play by the Rules'.



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Feature article:

Regulating sport-related concussion: Taking steps towards a public-private partnership

In May 2016, the Australian Institute of Sport (AIS) and Australian Medical Association (AMA) published the first 'Concussion in Sport Position Statement' designed to provide access to information for coaches, parents and athletes alike and to enhance consistency in terms of best practice medical care.

The latest version, published in February 2019, has the support of many key stakeholders and is endorsed by many Australian sports. The development of the position statement and the enhanced website www.concussioninsport.gov.au are positive steps towards filling knowledge gaps around the medical management of sport-related concussion (SRC).

A dedicated team, drawn predominantly from the medical and scientific fields, has taken great strides towards the provision of information around this important public health concern. But more can be done.

The investment by the Australian Government in funding these initiatives is an acknowledgement of its guardianship of the public's health,

acting within its regulatory remit to reduce or minimise harm to the Australian sports community.

But sport is a unique domain and governments typically adopt a hands-off approach when it comes to regulating sport. It is necessary, therefore, to take a pragmatic approach towards standard setting and behaviour modification in respect of SRC. One way to achieve this is to develop a public-private partnership between government (as guardian of the public's health) and key stakeholders in the Australian sports ecosystem, including the sport's governing body, as guardian of the sport.

The AIS and AMA initiatives are positive and important steps, but there is still some way to go before Australia adopts a truly harmonised and nationally consistent approach to SRC. In the September 2017 issue of the Play by the Rules magazine, a call was made for a collective and nationally coordinated response between governments, sports and stakeholders to address SRC. While medical management of SRC is a critical part of reducing or minimising the harm associated with SRC, other perspectives are also valuable.



For example, the Federal Government in Canada established a Sub-Committee on Sports-Related Concussion and recently conducted public hearings, inviting all interested Canadians to submit a request to appear or provide written submissions.

The breadth of public submissions received in response to this call is evidence of the broader societal concerns including, but not limited to, medical management concerns. Having identified SRC as a key priority area of concern, this public engagement process has sent a strong message about the importance of canvassing multiple perspectives to design a pragmatic and proactive response.

If a perception of fear exists over sports safety in the minds of Australian parents and carers, then SRC presents as an actual or potential barrier to participation in many traditional contact

sports. The threat to the integrity of these Australian sports falls within the regulatory remit of the Australian Government to address. We want our kids and community to continue to engage in traditional sports and to meet the commitment underlying the 'Move it Australia' public engagement campaign.

As Dr David Hughes from the AIS states, 'Sport participation by Australians is becoming increasingly passive' (<https://www.sportaus.gov.au/findyour30>). A duty of care exists to invest further in this space and ensure a safe sports system. One way to do this is to draw from the Canadian example of public engagement as a critical step towards developing a public-private partnership in mitigating the risks associated with SRC.

Prof. Annette Greenhow



Assistant Professor, Faculty of Law, Bond University

Feature article:

Winning isn't everything

High school rugby in South Africa is notoriously competitive. This has much to do with the prominence of rugby as the standout national pastime. As in New Zealand, rugby is deeply embedded in the national psyche to the point that many people think it more closely resembles a religion than a sport.

During my high school's rugby season, one particular match was always circled in the calendar as the most important game of the season. Our annual grudge match with the neighbouring school was to be played at a neutral venue with large parochial crowds anticipating something special.

My team-mates and I spent months studying our opposition and squeezing in extra training sessions in the weeks leading up to the match. As captain of my team, it's no exaggeration to say that in the build-up to the game it became the single most important thing in my life, and not an hour went by when I wasn't thinking about it in some way.

This situation, with the ultimate success of our season resting on the outcome, provided the backdrop to my first real lesson in ethics and integrity as they relate to sport.

About a fortnight before the match we shared a training ground with the opposing team. They used the field and adjacent training facilities before my team arrived for an evening session under floodlights. As I was getting strapped by one of our coaches, I noticed a small handbook in the corner of the change room. It appeared to have fallen under one of the benches and remained largely out of view.

I picked it up and opened the first page. Instantly I knew that I was holding the keys to victory in the upcoming match, for sitting in my hands was the entire playbook of the opposing team. I began paging through it as I became increasingly excited by the inevitable triumph that awaited my team.

I hurried over to my coach to break the good news. Holding up the notebook I remember stating clearly that 'coach, we've got this game in the bag. The idiots left their playbook in the change room!'

My coach calmly accepted the book, opened the first page, and then, to my utter bewilderment, closed it before placing it in his kitbag and telling me that we would discuss the matter after training.

'After training! We can start going through the

plays right now, the match is in two weeks so we've got hardly any time to memorise all their plays.'

'We're not going to be memorising their plays,' my coach said, before he made a point of reiterating, in no uncertain terms, that this matter would be discussed after the evening's training session. At this point everyone in the change room was dead silent as they focused on our conversation.

I was, to put things mildly, furious. Here we had the chance to guarantee success in the most important match of the season, and we were throwing it away. I couldn't understand why. After all, we hadn't stolen the playbook, we didn't ask for it, it was simply stumbled upon as a direct result of the opposing team's negligence.

At the end of the training session I made all these points to my coach. I thought I was reasoning with him and I expected that he would come around to my way of thinking once he realised that we couldn't lose if we used the playbook.

That's when he made the point that struck me and has stayed with me ever since.

'Winning isn't the most important thing. That's why not only are we not going to be using this playbook, but you are going to personally deliver it to their captain

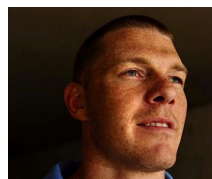
tomorrow. I will drive you to their school for the handover.'

My coach went on to explain at length that winning by any means that compromised one's integrity is never worth it, regardless of the stakes involved or how tempting it may be to take the easy road. It took some time for the lesson to sink in, and we had a number of conversations about the matter before I began to see his side of the argument.

Despite our best effort, my team-mates and I lost the big important match, but I believe we gained something far more valuable—a sense that however important a game may seem, it is, after all, just a game.

In the years that followed I often reflected on this lesson. Would my actions pass the judgement of my coach, would they pass my own critique? In sport and life these kinds of questions are always available to us, to be guided by our integrity we need only the courage to answer them honestly.

Clyde Rathbone



Website Update:

New Case Studies

The case studies on Play by the Rules are proving to be very popular with visitors. They highlight what sports clubs and associations are doing to keep sport safe, fair and inclusive.



Since our last magazine we've released four new case studies:

- Football Queensland's Welcome to the Game refugee initiative—a holistic program to help recently arrived refugees become involved in football
- South Australia's Sports Medicine Association's Concussion and Head Injuries in Sport Education Project—focusing on educating people on how to implement policies and manage concussion safely
- Football West's Street Football initiative—a flexible program for young people from low socioeconomic and culturally and linguistically diverse communities in metropolitan and regional areas
- Penrith Giants Kickability program for young people with autism—a parent-driven initiative specifically created to provide opportunities for young people with autism to play AFL.

Case studies are a great way to learn from what others are doing. You can see what they did, learn why they did it and how they measured success. More case studies are in the pipeline, so bookmark the page for future reference.

To see the case studies go to - <https://www.playbytherules.net.au/resources/case-studies>

Resource Update:

A Parents' Guide to Clean Sport

In April we released the Parents Guide to Clean Sport online mini-course. The course has been developed by the Australian Sports Anti-Doping Authority (ASADA) and the World Anti-Doping Agency (WADA) to help parents:

- have a better understanding of the important role they play in teaching their children respect for and appreciation of the true spirit of sport, and
- to inform their children about how to protect themselves in their sport career in relation to performance-enhancing drugs and drug use.

For young athletes, the pressure to train hard, compete and achieve at the highest level can lead them to think about taking dangerous shortcuts.

Extreme dieting, excessive training, taking supplements, and doping are things that may tempt young athletes. Parents or guardians of young athletes have an important role to help their children achieve their sporting goals, while also teaching them respect for and appreciation of the true spirit of sport.

To find out more and register for the course go to - <https://www.playbytherules.net.au/online-courses/mini-courses/parents-guide-to-clean-sport>



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Back Issues

You can access each back issue for this magazine by visiting [this page](#) on the Play by the Rules website. All the feature articles and significant news items are listed here.

Share and spread the word

One easy way to keep up to date and support safe, fair and inclusive sport is to share Play by the Rules across social media. We post every day on Facebook and Twitter and have audio files on Soundcloud and an extensive collection of videos on YouTube and Vimeo.



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Did you know that Play by the Rules is one of the best examples of a Collective Impact approach to addressing sport issues in the country? If not the best. Play by the Rules is a collaboration between multiple partners.



To make Play by the Rules possible, we also work with

