

CODE of CONDUCT

Nepean District Cricket Association

Contents

| | |
|--|---|
| Code of Conduct | 2 |
| Social Media Policy | 3 |
| Policy overview and purpose | 3 |
| Coverage | 3 |
| Scope | 3 |
| Guidelines | 4 |
| Reporting a Breach | 4 |
| Disciplinary Process, Consequences and Appeals | 4 |
| A word of caution on the use of social media | 4 |
| Career and recruitment implications | 5 |
| Financial implications | 5 |
| Administrators of the NDCA and NDCA club social media pages | 5 |
| Tribunal Processes and Penalties (UPDATED SEP-2024) | 6 |
| Process | 6 |
| Application of MCC Law 42 | 6 |
| Table of NDCA Code of Conduct offences, offence descriptors, and penalty ranges | 7 |

Code of Conduct

The following guidelines determine the Code of Conduct and appropriate behaviours for players, umpires, parents, and team officials involved in any NDCA, CNSW and IDCA administered competitions, or any other competitions in which the NDCA participates in.

- a) No person bound by this Code of Conduct shall engage in disorderly or improper conduct or behaviour.
- b) A person who engages in disorderly or improper conduct or behaviour breaches this Code of Conduct.

Disorderly or improper conduct or behaviour includes, but is not restricted to, a person:

- (i) assaulting or attempting to assault, or abusing, either verbally or physically, an umpire, player or spectator;
 - (ii) disputing, as distinct from questioning, an umpire's decision, or reacting in an obviously provocative manner towards an umpire;
 - (iii) using crude or abusive language, or hand signals or other gestures (including but not limited to ridicule or discouragement from spectators or coaches);
 - (iv) engaging in any form of conduct or behaviour (including posting comments or other material on social media) detrimental to the spirit of the game or likely to bring the game into disrepute;
 - (v) refusing to supply that person's name and that person's address when required by another person who is lodging a report
- c) The coach or manager of a team shall ensure that the players comply with the Code of Conduct.
 - d) The coach or manager of a team will be deemed to have breached the Code of Conduct if a player or a parent of a player in that team engages in continuing disorderly or improper conduct or behaviour.
 - e) No person officiating, participating in, or spectating in any competition shall engage in any conduct, act towards, or speak to any other person in a manner which offends, insults, humiliates or vilifies such person on the basis of that person's race, religion, colour, descent, ethnic origin, or ability.
 - f) No person officiating, participating in, or spectating any fixtures shall consume alcohol during travel to and from matches, at matches, or in accommodation in the presence of underage persons.
 - g) Australian Cricket is committed to ensuring that safeguarding Children and Young People is central to its development of the game and requires that all Affiliated Associations and Clubs adopt and implement the 'Australian Cricket's Policy for Safeguarding Children and Young People'. All organisations associated with Australian Cricket that work or interact with Children and Young People in our sport must adopt and implement child safe practices consistent with this policy.

This Code does not restrict any other action which may be taken in relation to the conduct covered by this Code under the Cricket Australia Code of Conduct.

Social Media Policy

Policy overview and purpose

Social media is changing the way we communicate. The Nepean District Cricket Association recognises that social media is a vital communication tool, and its primary function is to distribute information to the cricket community.

This policy has been developed to inform our community about using social media, so people feel enabled to participate, while being mindful of their responsibilities and obligations. In particular, this policy provides practical guidance allowing all parties to benefit from the use of social media, while minimising potential risks and protecting those involved.

This policy assists to establish a culture of transparency, trust and integrity in all online activities related to Nepean District Cricket Association.

This policy contains Nepean District Cricket Association's guidelines for the Nepean District Cricket Association's community to engage in social media use. It also includes details of breaches of the policy.

The Management Committee of the Nepean District Cricket Association is responsible for all matters related to this policy.

Coverage

This policy applies to all persons who are involved with the activities of Nepean District Cricket Association, whether they are in a paid or unpaid / voluntary capacity and including:

- members, including life members of Nepean District Cricket Association
- persons appointed or elected to Nepean District Cricket Association Management Committee and sub-committees.
- coaches, assistant coaches, and managers
- players
- umpires and other officials
- member associations
- affiliated clubs and associated organisations
- volunteers, spectators, and family members

Scope

Social media refers to any online tools or functions that allow people to communicate and/or share content via the internet.

- This social media policy applies to platforms including, but not limited to: Social networking sites (e.g. Facebook, X (Twitter), LinkedIn, Pinterest, etc)
- Video and photo sharing websites or apps (e.g. YouTube, Instagram, Flickr, TikTok etc)
- Instant messaging (e.g. email, SMS, Skype, Snapchat, WhatsApp, etc)
- Online multiplayer gaming platforms (e.g. PlayStation & Xbox, etc)
- Any other online technologies that allow individual users to upload and share content.

Guidelines

- All comments should be family friendly and feature positive news. Treat others as you would like to be treated.
- All members of our community who participate online are to do so in a respectful manner that protects and promotes all participants, your club, and Nepean District Cricket Association
- Never use a public forum or social media outlet to criticise another participant. When disagreeing with the opinion of others keep it appropriate, respectful, and polite.
- Abusive, insulting, hateful, discriminatory, intimidating, threatening or offensive statements will not be tolerated, and any such communication or online contact should be reported to the Nepean District Cricket Association Management Committee
- Swearing, profanity and comments based on religion, politics, gender, sexuality, or race will not be tolerated. The public in general, and Nepean District Cricket Association's members, reflect a diverse set of customs, values, and points of view.
- Commenting or sharing material that brings, or risks bringing Nepean District Cricket Association, its affiliates, the game of cricket, its officials, members, or sponsors into disrepute could put your membership with Nepean District Cricket Association at risk
- Keep in mind that what you write is your responsibility, and failure to abide by these guidelines could put your membership with Nepean District Cricket Association at risk

Reporting a Breach

If you notice inappropriate or unlawful content online relating to Nepean District Cricket Association or any of its members, or content that may otherwise have been published in breach of this policy, you should report the circumstances immediately.

Alleged breaches of this social media policy may be investigated according to Nepean District Cricket Association's and affiliates policies:

- Nepean District Cricket Association - Competition Rules
- NSW Codes of Behaviour
- Australian Cricket's Policy for Safeguarding Children and Young People
- Australian Cricket's Code of Behaviour for Affiliated Associations and Clubs

Disciplinary Process, Consequences and Appeals

Depending on the circumstances breaches of this policy may be dealt with in accordance with the disciplinary procedure contained in the Nepean District Cricket Association's Constitution and the Nepean District Cricket Association's Code of Conduct.

Where it is considered necessary, Nepean District Cricket Association Management Committee may report a breach of this social media policy to the NSW Police.

A word of caution on the use of social media

Social media posts are almost impossible to remove from public access and can be distributed far more widely than the author ever intended. Your social media history can follow you for years, even decades. Before posting or sharing on social media, consider how your post might look to others.

Besides any penalty imposed by the NDCA or member clubs on inappropriate comments made or shared on social media, there are two significant areas that should concern.

Career and recruitment implications

- Recruitment agencies now review social media history of prospective employees before offering a position. Candidates with a controversial social media history have been discarded from interview short lists.
- Companies are increasingly scanning social media history before offering existing employee's promotions. Employees with a controversial social media history have been passed over for promotion.
- People who find a social media post objectionable have reported the post to the author's company. Companies have sacked employees whose reported social media posts are not compatible with company values, even when the author is posting in a personal capacity.

Financial implications

Social media posts are subject to defamation laws. Social media posts can spread quickly and be read anywhere in the world, in countries with very different laws and penalties on defamation. Authors posting material that could be deemed defamatory, or people re-posting potentially defamatory posts, could face significant legal expenses and possible payouts for proven offences.

Administrators of the NDCA and NDCA club social media pages

When an administrator of an NDCA or NDCA member club social media page notices or is made aware of inappropriate content, or content that may be in breach of the NDCA social media policy, they should remove the content as soon as practicable.

For serious or repeated transgressions, the administrator should report the author or poster, along with screen shots of the posts, to the NDCA for action.

Tribunal Processes and Penalties (UPDATED SEP-2024)

Process

The NCCA Secretary receives a report alleging a breach of the Code of Conduct.

The breach is passed from the NCCA Secretary to the Tribunal Chair or their nominee.

The Tribunal Chair assesses the report and the alleged actions. The Tribunal Chair may:

- Decide the report warrants no further action. This decision is then shared with two additional NCCA committee members for their assent as to this decision, and if all three members agree, no further action taken. Where there is not a unanimous decision, the offence is taken through to a hearing.
- Decide the report constitutes a potential breach of the code of conduct.

Where the decision is made that there is a potential breach of the NCCA Code of Conduct, a Tribunal is formed from NCCA committee members or other suitable representatives who are not conflicted from sitting on the Tribunal.

The tribunal confirms the alleged breach of the code of conduct and then decides on the severity of the alleged offence, low, medium, or high, based on an analysis of the reports and other information received, including player history, against the descriptors.

For single low-grade offences, an early guilty plea will see a 50% discount against any penalty imposed by the Tribunal and negate the need for the alleged offender or club to appear before the Tribunal (the NCCA will not provide early penalty notice, other than it is a low-grade offence). For a second or further low-grade offence over a two-year period, no early plea will be permitted.

All players accused of medium or high-grade offences must attend a tribunal hearing. Guilty pleas at the hearing may attract a penalty discount. Any discount will be applied by the Tribunal after the penalty is determined.

Application of MCC Law 42

In games where an official (not player) Umpire is officiating, the Umpire is encouraged to apply Law 42, which allows for players committing a level 3 (High level NCCA offence), to be removed from the game for a period of time, or for the entire match. The captain is responsible for removing the player once notified by the official umpire; if the player refuses to leave the field or the captain refuses to remove the player, the match will be awarded to the opposing team and the behaviour reported to the NCCA Secretary.

The table on the following pages details the list of offences in the NCCA Competition Rules. The table sets out descriptions of the type of activity that would be likely to fall into low, medium, and high-level categories against each offence. The descriptions are not meant to be a comprehensive list of all activities that would be caught under this type of offence. It should be noted that this table is a guideline for the Tribunal and that the descriptions and penalties listed are examples only, to guide the Tribunal in their decision making as to the severity of the alleged offence.

Table of NDCA Code of Conduct offences, offence descriptors, and penalty ranges

| Offence | Low Range | Medium range | High Range |
|---|--|---|--|
| 5.3 (a) assault or attempt to assault an umpire, another registered player, official of the NDCA, or spectator; or | <p>Descriptor: Minor deliberate bumping, pushing, and shoving. Attempted assault where actions of others prevent assault taking place.</p> <p>Penalty: 1 round to 7 rounds</p> | <p>Descriptor: Fighting involving grappling and/or punching between players where both players are equally involved. Fighting involving multiple players. Sustained deliberate bumping, pushing, and shoving. Attempted assault with a weapon, deadly or otherwise.</p> <p>Penalty: 8 rounds to 2 years</p> | <p>Descriptor: Sustained deliberate physical assault causing injury. Assault using a weapon, deadly or otherwise. Action resulting in police charges. All assaults or attempted assaults on spectators and umpires. Fighting involving multiple players.</p> <p>Penalty: 2 years to life</p> |
| 5.3 (b) abuse, either orally or physically an umpire, another registered player, official of the NDCA or spectator; or | <p>Descriptor: Low level abuse directed at no-one, but loud enough for others to hear. Single swear words or low-level abuse directed at players.</p> <p>Penalty: Official warning to 4 rounds</p> | <p>Descriptor: Any swearing or abuse directed to an umpire, spectator, or NDCA official. Multiple word swearing or abuse directed at another player.</p> <p>Penalty: 5 rounds to 1 year</p> | <p>Descriptor: Sustained verbal assault containing threats, and/or delivered in close proximity to the umpire, player, or other person, and likely to cause fear or intimidation to the recipient or others.</p> <p>Penalty: 1 year to 2 years</p> |
| 5.3 (c) engage in any conduct, act towards, or speak to an umpire, another registered player, official of the NDCA or spectator in a manner which offends, insults, humiliates, or vilifies such person on the basis of that person's sexuality, race, religion, colour, descent or ethnic origin; or | <p>Descriptor: NA</p> <p>Penalty: NA</p> | <p>Descriptor: Single, low-level reference to a person's sexuality, race, religion, colour, in a way that causes distress or offence to another person.</p> <p>Penalty: 8 rounds to 1 year</p> | <p>Descriptor: Referring to a person's sexuality, race, religion, colour, combined with swearing, in a sustained manner. All comments towards umpires of this nature.</p> <p>Penalty: 1 year to 2 years</p> |

| Offence | Low Range | Medium range | High Range |
|---|---|--|---|
| 5.3 (d) dispute, as distinct from question an umpire's decision or react in any obviously provocative or disapproving manner towards an umpire, the umpire's decision or generally following an umpire's decision; or | <p>Descriptor: Single gesture, comment, or swear word about a decision not directed at the umpire.</p> <p>Penalty: Official warning to 5 rounds</p> | <p>Descriptor: Arguing or disputing the decision of the umpire from a distance, including making comments to team-mates, opposition players, or others.</p> <p>Penalty: 5 rounds to 1 year</p> | <p>Descriptor: Confronting an umpire and disputing the decision. Sustained argument or dispute to an umpire from a distance, or continued disputing and commenting to others about the decision. Continuing after warning from an umpire.</p> <p>Penalty: 1 year to 2 years</p> |
| 5.3 (e) use crude and abusive language or engage in any form of conduct detrimental to the spirit of the game or likely to bring the game into disrepute; or | <p>Descriptor: Low level abuse directed at no-one, but loud enough for others to hear. Single swear words or low-level abuse directed at players. Low level misbehaviour against the spirit of the game.</p> <p>Penalty: Official warning to 4 rounds</p> | <p>Descriptor: Any swearing or abuse directed to an umpire, spectator, or NDCA official. Multiple word swearing or abuse directed at another player. Mid-level misbehaviour against the spirit of the game.</p> <p>Penalty: 5 rounds to 1 year</p> | <p>Descriptor: Sustained verbal assault containing threats, and/or delivered in close proximity to the umpire, player, or other person, and likely to cause fear or intimidation to the recipient or others. Other sustained misbehaviour against the spirit of the game.</p> <p>Penalty: 1 year to 2 years</p> |
| 5.3 (f) use crude and abusive signals or gestures; or | <p>Descriptor: Non-threatening gesture or signal given once.</p> <p>Penalty: Official warning to 1 round</p> | <p>Descriptor: Threatening or sexually explicit gestures or signals, delivered once.</p> <p>Penalty: 2 rounds to 4 rounds</p> | <p>Descriptor: Any offensive signal or gesture to an umpire. Offensive gestures or signals delivered multiple times, or of an overtly threatening or sexually explicit nature.</p> <p>Penalty: 5 rounds to 7 rounds</p> |
| 5.3 (g) refuse to give his or her name; or | <p>Descriptor: Player declines to provide their name to opposition captain, umpire or NDCA official, when they are informed, they are to be cited for a breach of the Code of Conduct</p> <p>Penalty: Formal warning to 4 rounds</p> | <p>Descriptor: NA</p> <p>Penalty: NA</p> | <p>Descriptor: NA</p> <p>Penalty:</p> |

| Offence | Low Range | Medium range | High Range |
|--|---|---|---|
| 5.3 (h) consume alcohol at the ground while participating in that match. | <p>Descriptor: Public, opposition captain, or NDCA official report of alcohol consumption during the match.</p> <p>Penalty: Formal warning to 2 rounds</p> | <p>Descriptor: Umpire report that players were consuming alcohol during the match. Refusal to stop drinking when requested.</p> <p>Penalty: 3 rounds to 6 rounds</p> | <p>Descriptor: Alcohol consumption combined with other medium to serious level offences.</p> <p>Penalty: 7 rounds to 1 year</p> |
| 5.4 The Captains are responsible at all times for ensuring that play is conducted within the spirit of the game as well as within the laws - "MCC LAW 42.1". The captain of a team may be held responsible for any breaches of the "Code" by any player in his team and may be reported for failure to control his team. | <p>Descriptor: Captain fails to control players in their general behaviour through absence of the captain's authority.</p> <p>Penalty: Formal warning to 2 rounds.</p> | <p>Descriptor: Captain declines to act or fails to control his team, after being requested to by the opposition captain or umpire.</p> <p>Penalty: 3 rounds to 7 rounds</p> | <p>Descriptor: Captain, by words or actions, encourages their team to breach the law or spirit of the game.</p> <p>Penalty: 8 rounds to one year</p> |
| 5.5 In any instance where a registered player is found guilty of an offence related to the Code of Conduct and is suspended from participating in any fixture approved by the NDCA, the Captain of the team may also receive a suspension equal to half that of the suspended player. | <p>Descriptor: Penalty usually levied in cases of multiple team or player infractions, or where there is evidence that the captain has not acted to defuse player behaviour.</p> <p>Penalty: Half of player penalty. If more than one player is found guilty, then half of the most severe penalty imposed.</p> | <p>Descriptor: Penalty usually levied in cases of multiple team or player infractions, or where there is evidence that the captain has not acted to defuse player behaviour.</p> <p>Penalty: Half of player penalty. If more than one player is found guilty, then half of the most severe penalty imposed.</p> | <p>Descriptor: Penalty usually levied in cases of multiple team or player infractions, or where there is evidence that the captain has not acted to defuse player behaviour.</p> <p>Penalty: Half of player penalty. If more than one player is found guilty, then half of the most severe penalty imposed.</p> |