



FRANKSTON FOOTBALL CLUB CODE OF CONDUCT

**Adopted by the Board of the Frankston Football Club Inc.
16 August 2024**

1. Preface

The Frankston Football Club Inc. (**Frankston Football Club**) is committed to creating a safe, fair and inclusive sporting environment. The Frankston Football Club:

- seeks to prevent all forms of harassment, bullying, discrimination and abuse and to promote positive behaviour and values;
- states that inappropriate behaviour will not be tolerated;
- highlights that the Code of Conduct sets out codes of behaviour with which everyone associated with the Frankston Football Club is expected to abide; and
- confirms that action will be taken against individuals if there is a breach of the Code of Conduct.

2. Purpose of this Code of Conduct

The Frankston Football Club Code of Conduct (**'Code of Conduct'**) aims to assist the Frankston Football Club (**'FFC'**, **'our'**, **'us'**, or **'we'**) to uphold its core values and create a safe, fair and inclusive environment for everyone associated with our sport. It sets out our commitment to ensure that every person bound by the Code of Conduct is treated with respect, dignity and protected from discrimination, harassment and abuse. It also seeks to ensure that everyone involved in our sport is aware of their key legal and ethical rights and responsibilities, as well as the standards of behaviour expected of them.

This Code of Conduct describes the practical steps we will take to eliminate discrimination, harassment and other forms of inappropriate behaviour from our sport. As part of this commitment, the Code of Conduct allows the Frankston Football Club to take disciplinary action against any person or organisation bound by this Code of Conduct should they be found to have breached the Code of Conduct.

The Code of Conduct has been endorsed by the Board of the Frankston Football Club. The Code of Conduct can be obtained from our website at www.frankstonfc.com.au.

The Code of Conduct is supported by Member Protection Policies that have been adopted and implemented by the AFL.

3. Who is bound by this Code of Conduct?

This Code of Conduct applies to as many persons as possible who are involved with the activities of the Frankston Football Club, whether they are in a paid or unpaid/voluntary capacity, including:

- persons appointed or elected to the Board of the Frankston Football Club and any committees and sub-committees of the Board of the Frankston Football Club;
- employees and volunteers of the Frankston Football Club;

- support personnel, including managers, physiotherapists, psychologists, masseurs, sport trainers and others;
- coaches and assistant coaches;
- athletes;
- umpires and other officials;
- members of the Frankston Football Club;
- athletes, coaches, officials and other personnel participating in events and activities, including camps and training sessions, held or sanctioned by the Frankston Football Club;
- spectators and visitors of the Frankston Football Club; and
- any other person to whom the Code of Conduct may apply.

4. Organisational Responsibilities

The Frankston Football Club must:

- adopt, implement and comply with this Code of Conduct;
- ensure that this Code of Conduct is enforceable;
- publish, distribute and promote this Code of Conduct and consequences of any breaches of this Code of Conduct;
- always promote and model appropriate standards of behaviour;
- deal with any complaints made this this Code of Conduct in an appropriate manner;
- deal with any breaches of this Code of Conduct in an appropriate manner; recognise and enforce any penalty imposed under this Code of Conduct;
- ensure that a copy of this Code of Conduct is available or accessible to all people and organisations to whom this Code of Conduct applies;
- use appropriately trained people to receive and manage complaints and allegations of inappropriate behaviour; and
- monitor and review this Code of Conduct at least annually.

5. Individual responsibilities

Individuals bound by this Code of Conduct must:

- make themselves aware of the contents of this Code of Conduct;

- comply with all relevant provisions of the Code of Conduct, including the steps for making a complaint;
- consent to any screening requirements as mandated by the Frankston Football Club, including Working with Children checks;
- be accountable for their behaviour; and
- comply with any decisions and/or disciplinary measures imposed under this Code of Conduct.

6. Position Statements

6.1. Anti-Discrimination & Harassment

The Frankston Football Club is committed to providing an environment in which people are treated fairly and equitably and that is, as far as practicable, free from all forms of discrimination and harassment.

We recognise that people may not be able to enjoy themselves or perform at their best if they are treated unfairly, discriminated against or harassed.

6.1.1. Discrimination

Unlawful discrimination involves the less favourable treatment of a person on the basis of one or more of the personal characteristics protected by state or federal anti-discrimination laws.

The personal characteristics protected by anti-discrimination laws include attributes such as race, age, disability, gender and race. The full list of protected personal characteristics is in the 'definitions' set out in the Dictionary of Terms in clause 10 of this Code of Conduct.

Discrimination can be either direct or indirect.

Direct discrimination occurs if a person treats, or proposes to treat, a person with a protected personal characteristic unfavourable because of that personal characteristic.

Indirect discrimination occurs if a person imposes, or proposes to impose, a requirement, condition or practice that will disadvantage a person with a protected personal characteristic and that requirement, condition or practice is not reasonable.

For the purposes of determining discrimination, the offender's awareness and motive are irrelevant.

6.1.2. Harassment

Harassment is any unwelcome conduct, verbal or physical, that intimidates, offends or humiliates another person and which happens because a person has a certain personal characteristic protected by federal or state anti-discrimination legislation.

The offensive behaviour does not have to take place a number of times, a single incident can constitute harassment.

Sexual harassment is one type of harassment. Sexual harassment is unwelcome conduct, remarks or innuendo of a sexual nature. It covers a wide range of behaviours and can be verbal, written, visual or physical. Sexual harassment is not limited to members of the opposite sex.

6.1.3. Prohibition against discrimination and harassment

We prohibit all forms of harassment and discrimination based on the personal characteristics listed in the 'Definitions' set out in the Dictionary of Terms in clause 10 of this Code of Conduct.

Any person who believes they are being, or have been, harassed or discriminated against by another person or organisation bound by this Code of Conduct is encouraged to raise their concerns with us. A person may make an internal complaint, and in some circumstances, they may also be able to make a complaint to an external organisation.

6.2. Bullying

The Frankston Football Club is committed to providing an environment that is free from bullying. We understand that bullying has the potential to result in significant negative consequences for an individual's health and wellbeing, and we regard bullying in all forms as unacceptable in our sport.

Bullying is characterised by repeated, unreasonable behaviour directed at a person, or group of persons, that creates a risk to health and safety. Bullying behaviour is that which a reasonable person in the circumstances would expect to victimise, humiliate, undermine, threaten, degrade, offend or intimidate a person. Bullying behaviour can include actions of an individual or a group.

Whilst generally characterised by repeated behaviour, one-off instances can amount to bullying.

The following types of behaviour, where repeated or occurring as part of a pattern of behaviour, would be considered bullying:

- verbal abuse including shouting, swearing, teasing, making belittling remarks or persistent unjustified criticism;

- excluding or isolating a group or person;
- spreading malicious rumours; or
- psychological harassment such as intimidation.

Bullying includes cyber-bullying which occurs through the use of technology. New technologies and communication tools, such as smart phones and social networking website, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments. The Frankston Football Club will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at an umpire, teammate, coach or sporting body should never be communicated on social networking websites. These issues should be instead addressed – in a written or verbal statement or a complaint – to the relevant controlling Club, league or peak sporting body.

If any person believes they are being, or have been, bullied by another person or organisation bound by this Code of Conduct, he or she may make a complaint.

6.3. Intimate Relationships

The Frankston Football Club understands that consensual intimate relationships (including, but not limited to sexual relationships) between coaches or officials and adult athletes may take place legally. However, this Code of Conduct will help ensure that the expectations of coaches or officials are clear and to ensure that if an intimate relationship does exist or develop between a coach or official and an adult athlete, that relationship will be managed in an appropriate manner.

Coaches and officials are required to conduct themselves in a professional and appropriate manner in all interactions with athletes. In particular, they must ensure that they treat athletes in a respectful and fair manner, and that they do not engage in sexual harassment, bullying, favouritism or exploitation.

We take the position that consensual intimate relationships between coaches or officials and the adult athletes they coach should be avoided as they can have harmful effects on the athlete involved, on other athletes and coaches and on the sport's public image. These relationships can also be perceived to be exploitative due to the differences in authority, power, maturity, status, influence and dependence between the coach or official and the athlete.

We recommend that if an athlete attempts to initiate an intimate relationship with a coach or official, the coach or official should discourage the athlete's approach and explain to the athlete why such a relationship is not appropriate.

If a consensual intimate relationship does exist or develop between an adult athlete and a coach or official, the coach or official is expected to ensure that the relationship is appropriate and that it does not compromise impartiality, professional standards or the relationship of trust the coach or official has with the athlete and/or other athletes. It is expected that the relationship is disclosed to the Club.

In assessing the appropriateness of an intimate relationship between a coach or official and an adult athlete, relevant factors include, but are not limited to:

- the relative age and social maturity of the athlete;
- any potential vulnerability of the athlete;
- any financial and/or emotional dependence of the athlete on the coach or official;
- the ability of the coach or official to influence the progress, outcomes or progression of the athlete's performance and/or career;
- the extent of power imbalance between the athlete and coach or official; and
- the likelihood of the relationship having an adverse impact on the athlete and/or other athletes.

It will often be difficult for a coach or official involved in an intimate relationship with an adult athlete to make an objective assessment of its appropriateness and accordingly they are encouraged to seek advice from their manager to ensure that they have not involved themselves in inappropriate or unprofessional conduct.

If it is determined that an intimate relationship between a coach or official and an adult athlete is inappropriate or unprofessional, we may take action against the coach or official up to and including dismissal. Action may also be taken to stop the coaching relationship with the athlete. This could include a transfer, a request for resignation or dismissal from coaching duties.

If a coach, official or athlete believes they are being, or have been, harassed they are encouraged to seek information and support from their relevant manager.

6.4. Pregnancy

The Frankston Football Club is committed to treating pregnant women fairly and to removing any unreasonable barriers to their full participation in our Club and within our sport. We will not tolerate any discrimination or harassment against pregnant women.

The Frankston Football Club will take reasonable care to ensure the continuing safety, health and wellbeing of pregnant women. In circumstances where athletes fall pregnant, we will advise pregnant women that there may be risks involved with their continuing participation in sport, and we will encourage them to obtain medical advice about those risks. Pregnant women should be aware that their own health and wellbeing, and that of their unborn child, is of utmost importance in their decision-making about the extent they choose to participate in our sport.

We encourage all pregnant women to talk with their medical advisers, make themselves aware of the facts about pregnancy and ensure that they make informed decisions about their participation in our sport, if applicable. Pregnant women should make these decisions themselves, in consultation with their medical advisers and in discussion with the Frankston Football Club.

We will only require pregnant women to sign a disclaimer in relation to their participation in our sport whilst they are pregnant if all other participants are required to sign one in similar circumstances. We will not require women to undertake a pregnancy test.

If a pregnant woman believes she is being, or has been, harassed or discriminated against by another person or organisation bound by this Code of Conduct, she may make a complaint.

6.5. Gender Identity

Gender identity means the gender-related identity, appearance or mannerisms or other gender-related characteristics of a person. This includes the way people express or present their gender and recognises that a person's gender identity may be an identity other than male or female. Some terms used to describe a person's gender identity include trans, transgender and gender diverse.

6.5.1. Gender identity discrimination and harassment

Federal, state and territory anti-discrimination laws provide protection from discrimination against people on the basis of their gender identity. (See definition in Dictionary of Terms at clause 10 of this Code of Conduct).

The Frankston Football Club is committed to providing a safe, fair and inclusive sporting environment where people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity.

All persons, regardless of gender identity, are entitled to be treated fairly and with dignity and respect at all times. We will not tolerate any unlawful discrimination or harassment of a person because of their gender identity. This includes discrimination or harassment of a person who is transgender or transsexual, who is assumed to be transgender or transsexual or has an association with someone who has or is assumed to be transgender or transsexual.

We expect all people bound by this Code of Conduct to act with sensitivity when a person is undergoing gender transition/affirmation.

If any person believes that they are being, or have been, harassed or discriminated against by another person or organisation bound by this Code of Conduct because of their gender identity, they may make a complaint.

6.5.2. Participation in sport

The Frankston Football Club recognises that excluding people from participating in sporting events and activities because of their gender identity may have a significant implication for their health, wellbeing and involvement in community life. We are committed to supporting participation in our sport on the basis of the gender with which a person identifies.

If issues of performance advantage arise, we will consider whether the established discrimination exceptions for participation in sport are relevant in the circumstances. Discrimination is unlawful unless an exception applies.

6.5.3. Intersex status

Federal anti-discrimination law, and some state and territory anti-discrimination law, provide protection from discrimination against a person on the basis of their intersex status.

The Frankston Football Club is committed to providing a safe, fair and inclusive sporting environment where all people can contribute and participate. We will not tolerate any unlawful discrimination or harassment of a person because of their intersex status.

6.6. Responsible service and consumption of alcohol

The Frankston Football Club is committed to conducting sporting and social events in a manner that promotes the responsible service and consumption of alcohol in line with all relevant laws and regulations applicable to the Frankston Football Club. We also recommend that state associations and member clubs follow strict guidelines regarding the service and consumption of alcohol.

In general, our Code of Conduct is that:

- alcohol should not be available or consumed at sporting events involving children under the age of 15;
- alcohol-free social events be provided for young people and families;
- food and low-alcohol and non-alcoholic drinks be available at events we hold or endorse where alcohol is served;
- a staff member is present at events we hold or endorse where alcohol is served to ensure appropriate practices in respect of the consumption of alcohol are followed;
- safe transport options be promoted as part of any event we hold or endorse where alcohol is served;
- alcohol is not to be consumed on the field of play during intervals; and
- alcohol is not to be brought into or consumed within any change room/facility at the Frankston Football Club without the express consent of the Frankston Football Club;
- alcoholic drinks may be consumed by persons bound by this Code of Conduct at Frankston Football Club functions or other social activities;
- it is the responsibility of all persons bound by this Code of Conduct who consume alcohol on such occasions to do so in a safe and responsible manner.
- if a person bound by this Code of Conduct (or their manager) believes their judgment and performance has been impaired due to the consumption of alcohol, they should not return to work for the rest of the day.
- misuse of alcohol in such situations may lead to disciplinary action pursuant to this Code of Conduct.
- a person bound by this Code of Conduct consuming alcohol at a Club function must ensure that they are able to travel home safely. This includes complying with road laws relating to blood alcohol limits.
- driving over the legal limit is considered a serious breach of this Code of Conduct.

6.7. Smoke-free environment

The Frankston Football Club is committed to providing a safe and healthy environment at all sporting and social events that we hold or endorse.

In general, our Code of Conduct is that:

- no smoking shall occur at or near sporting events. This Code of Conduct shall apply to coaches, players, trainers, officials and volunteers;
- social events shall be smoke-free, with smoking permitted at designated outdoor smoking areas; and
- coaches, officials, trainers, volunteers and players will refrain from smoking while they are involved in an official capacity in our sport both on and off the field.

6.8. Illicit Drugs

Illicit drugs are not permitted on the premises of the Frankston Football Club at any time for any reason. The Club has a zero-tolerance approach in regard to the use of illicit drugs on the premises or reporting to work whilst under the influence of illicit drugs. In the instance of employment or volunteering with the Club, contravening this clause 6.8 may lead to instant dismissal.

6.9. Social Networking

The Frankston Football Club acknowledges the enormous value of social networking to promote our sport and celebrate the achievements and success of the people involved in our sport.

Social networking refers to any interactive website or technology that enables people to communicate and/or share content via the internet. This includes social networking websites such as Facebook and Twitter.

We expect all people bound by this Code of Conduct to conduct themselves appropriately when using social networking sites to share information related to our sport. In particular, social media activity including, but not limited to, postings, blogs, status updates, and tweets:

- must not contain material which is, or has the potential to be, offensive, aggressive, defamatory, threatening, discriminatory, obscene, profane, harassing, embarrassing, intimidating, sexually explicit, bullying, hateful, racist, sexist or otherwise inappropriate;
- must not contain material which is derogatory toward the Frankston Football Club, or brings the Frankston Football Club into disrepute;
- must not contain material which is inaccurate, misleading or fraudulent;
- must not contain material which is in breach of laws, court orders, undertakings or contracts;
- should respect and maintain the privacy of others; and
- should promote the sport in a positive way.

7. Complaints procedures

7.1. Handling complaints

The Frankston Football Club aims to provide a simple, confidential and trustworthy procedure for resolving complaints based on the principles of procedural fairness.

Any person (**'Complainant'**) must report a complaint about a person, people or organisation bound by this Code of Conduct (**'Respondent'**) if they feel they have been discriminated against, harassed, bullied or there has been any other breach of this Code of Conduct, using the following steps:

- *Self-Resolution*: If safe, reasonable and appropriate, and if the Complainant feels confident and comfortable to do so, they can approach the other person to discuss the issues and try and resolve the problem directly.
- *Resolution Strategy*: If self-resolution does not resolve the issue the complainant should discuss the matter with the Club's Code of Conduct Officer. The Code of Conduct Officer and the Complainant will formulate a resolution strategy that may include:
 - dialogue between the Complainant and the Respondent;
 - exploring options for resolution;
 - mediation; and
 - speaking to the Respondent on the Complainant's behalf.
- *Investigation*: If a formal investigation is required it will be led by the Code of Conduct Officer, under the principle of natural justice. The Respondent must be fully informed of the allegations against them and provided with the full opportunity to respond. The Code of Conduct Officer must complete a written report, with witnesses, if necessary (**'Investigation Report'**).
- *Action*: In light of the Investigation Report, the Board of the Frankston Football Club will make a decision on how to resolve the matter. This may include:
 - counselling;
 - education and training
 - disciplinary action pursuant to the Constitution or this Code of Conduct;
 - performance management; and

- dismissing the complaint.

7.2. External Agency

Individuals may also seek to have their complaint handled by an external agency under anti-discrimination, child protection, criminal or other relevant legislation.

7.3. Improper complaints and victimisation

The Frankston Football Club aims to ensure that our complaints procedure has integrity and is free of unfair repercussions or victimisation against any person making a complaint.

We will take all necessary steps to make sure that people involved in a complaint are not victimised. Disciplinary measures may be undertaken in respect of a person who harasses or victimises another person for making a complaint or supporting another person's complaint.

If at any point in the complaint handling process the Code of Conduct Officer considers that a Complainant has knowingly made an untrue complaint, or the complaint is malicious or inappropriately intended to cause distress to the respondent, the matter may be referred in writing to the Board of the Frankston Football Club for review and appropriate action, including possible disciplinary action against the complainant.

8. What is a breach of this Code of Conduct?

It is a breach of this Code of Conduct for any person or organisation bound by this Code of Conduct to do anything contrary to this Code of Conduct, including but not limited to:

- bringing the game, the Frankston Football Club or the AFL into disrepute, or acting in a manner likely to bring the game, the Frankston Football Club or the AFL into disrepute;
- failing to follow any policies of the Frankston Football Club, including the contents of this Code of Conduct and the Constitution.
- discriminating against, harassing or bullying (including cyber-bullying) any person;
- victimising another person for making or supporting a complaint;
- engaging in an appropriate intimate relationship with a person that he or she supervises, or has influence, authority or power over;
- verbally or physically assaulting another person, intimidating another person or creating a hostile environment within the sport;

- disclosing to any unauthorised person or organisation any information belonging to the Frankston Football Club that is of a private, confidential or privileged nature;
- making a complaint that they know to be untrue, vexatious, malicious or improper;
- failing to comply with a penalty imposed after a finding that the individual or organisation has breached this Code of Conduct; and
- failing to comply with a direction given to the individual or organisation as part of a disciplinary process.

9. Disciplinary Measures

The Frankston Football Club may impose disciplinary measures on an individual or organisation for a breach of this Code of Conduct.

Any disciplinary measure imposed will be:

- fair and reasonable;
- applied consistent with any contractual and legal rules and requirements;
- be based on the evidence and information presented and the seriousness of the breach; and
- be determined in accordance with the Constitution, this Code of Conduct, any contractual and/or the rules of the sport.

9.1. Individual

Subject to contractual and employment requirements, if a finding is made that an individual has breached this Code of Conduct, one or more of the following forms of discipline may be imposed:

- a direction that the individual make a verbal and/or written apology;
- a written warning;
- a direction that the individual attend counselling to address their behaviour;
- a withdrawal of any awards, scholarships, placings, records, achievements bestowed in any tournaments, activities or events held or sanctioned by FFC;
- a demotion or transfer of the individual to another location, role or activity;
- a suspension of the individual's membership or participation or engagement in a role or activity;

- termination of the individual's membership, appointment or engagement;
- a recommendation that the Board of the Frankston Football Club terminate the individual's membership, appointment, or engagement consistent with the requirements of the Constitution;
- in the case of a coach or official, a direction that the relevant organisation de-register the accreditation of the coach or official for a period of time or permanently;
- a fine; and
- any other form of discipline that the Board of the Frankston Football Club considers appropriate.

9.2. Factors to Consider

The form of discipline to be imposed on an individual or organisation will depend on factors, such as:

- the nature and seriousness of the breach;
- if the person knew, or should have known, that the behaviour was a breach of the Code of Conduct;
- the person's level of contrition;
- the effect of the proposed disciplinary measures on the person, including any personal, professional or financial consequences;
- if there have been any relevant prior warnings or disciplinary action;
- the ability to enforce disciplinary measures if the person is a parent or spectator (even if they are bound by the Code of Conduct); and
- any other mitigating circumstances.

10. Dictionary of Terms

This Dictionary of Terms sets out the meaning of words used in this Code of Conduct and its attachments, without limiting the ordinary and natural meaning of the words. Further detail or definitions that are specific to different states and territories can be sourced from the relevant authorities or equal opportunity and anti-discrimination commissions:

- **abuse** is the violation of an individual's human or civil rights through the act or actions of another person or persons. Types of abuse include physical abuse, psychological or emotional abuse, sexual abuse, constraints and restrictive practices, financial abuse, legal or civil abuse and systemic abuse.

- **AFL** means the Australian Football League ACN 004 155 211.
- **Board** has the same meaning as in the Constitution.
- **child** means a person who is under the age of 18.
- **Code of Conduct Officer** means a person appointed by the Board of the FFC to be a point of contact for a person reporting an issue or complaint under, or a breach of, this Code of Conduct.
- **complaint** means a complaint under clause 7 of this Code of Conduct.
- **Constitution** means the current Constitution of the Frankston Football Club.
- **discrimination** occurs when someone is treated (or is proposed to be treated) unfairly or less favourably than another person in the same or similar circumstances because of one of the personal characteristics covered by anti-discrimination laws. This known as direct discrimination. Indirect discrimination occurs when there is (or is proposed) an unreasonable requirement, condition or practice that seems to treat everyone equally, but which has or is likely to have the effect of disadvantaging persons with a personal characteristic covered by anti-discrimination laws.

In Australia, it is against the law to discriminate against someone because of:

- age;
- sex or gender;
- gender identity;
- intersex status;
- race, colour, descent, national or ethnic origin, nationality, ethno-religious origin, immigration;
- disability, mental and physical impairment;
- family/carer responsibilities, status as a parent or carer;
- marital status;
- pregnancy, potential pregnancy, breastfeeding;
- sexual orientation and gender identity;
- physical features;
- irrelevant medical record;
- irrelevant criminal record and spent convictions;

- political beliefs or activities;
- religion, religious beliefs or activities;
- national extraction or social origin;
- lawful sexual activity;
- profession, trade, occupation or calling;
- member of association or organisation of employees or employers, industrial activity, trade union activity;
- defence service; and
- personal association with someone who has, or is assumed to have, any of the above characteristics.

Some exceptions to state, territory and federal anti-discrimination law apply, including exceptions for sporting activities, such as:

- holding a competitive sporting activity for a specific age or age group (e.g. only those who are under the age of 15 years);
 - excluding people on the basis of their sex and/or gender identity status from participation in a competitive sporting activity where the strength, stamina or physique of competitors is relevant to the specific activity (note that this does not apply to activity by children who under the age of 12 years); and
 - not selecting a participant if the person's disability means he or she is not reasonably capable of performing the actions reasonably required for that particular sporting activity.
- **harassment** is any type of unwelcome behaviour which has the effect of offending, humiliating or intimidating the person harassed. Unlawful harassment can be based on any of the personal characteristics covered by anti-discrimination law, such as a person's race, sex, pregnancy, marital status or sexual orientation (see the list under *discrimination*), including, public acts of racial hatred which are reasonably likely to offend, insult, humiliate or intimidate are also prohibited. This applies to spectators, participants or any other person who engages in such an act in public. Some states and territories also prohibit public acts that vilify people on other grounds such as homosexuality, gender identity, HIV/AIDS, religion and disability (see also *vilification*);
 - **member** any member of the Frankston Football Club pursuant to the Constitution.
 - **procedural fairness** requires that:
 - the respondent knows the full details of what is being said against him or her and they have the opportunity to respond;

- no person may judge their own case; and
- the decision-maker(s) must be unbiased, fair and just.
- **police check** means a national criminal history record check conducted as a pre-employment, pre-engagement or current employment background check on a person.
- **sexual harassment** means unwelcome behaviour of a sexual nature which could reasonably be expected to make a person feel humiliated, intimidated or offended. Sexual harassment can take many different forms and may include unwelcome physical contact, verbal comments, jokes, propositions, displays of pornographic or offensive material or other behaviour that creates a sexually hostile environment. Sexual harassment does not have to be intentional.
- **transgender** is an umbrella term that refers to a person whose gender identity is different to their physical sex as recorded at birth. Transitioning refers to the process where a transgender person commences living as a member of another sex. This is sometimes referred to as the person 'affirming' their gender because transitioning means they start living in what they identify as their true gender. For people who are transitioning/affirming their gender, having their identity fully recognised in all areas of life is a crucial part of the experience of living as their affirmed gender.
- **sexual orientation** refers to a person's emotional or sexual attraction to another person, including, amongst other, the following identities: heterosexual, gay, lesbian, bisexual, pansexual, asexual or same-sex attracted.
- **gender identity** refers to a person's deeply held internal and individual sense of gender.
- **gender expression** refers to the way in which a person externally expresses their gender or how they are perceived by others.
- **intersex** refers to people who have genetic, hormonal or physical characteristics that are not exclusively 'male' or 'female'. A person who is intersex may identify as male, female, intersex or as being of indeterminate sex.
- **victimisation** means treating someone unfairly or unfavourably, or threatening to do so, because that person has, or intends to, pursue their right to make any complaint, including a complaint under government legislation (e.g. anti-discrimination legislation) or under this Code of Conduct, or for supporting another person to make complaint.
- **vilification** means behaviour that occurs in public which incites hatred towards, serious contempt for, or revulsion or severe ridicule of a person or group of people because that person or persons have a particular personal characteristic. Anti-discrimination laws in Australia make it unlawful to vilify a person or group of persons on the basis of race, religion, homosexuality, transgender status and HIV/AIDS status.