

# ETHICS AND EXPECTATIONS POLICY

## Tournaments and Events Participation

September 2023: V.1

BASEBALL VICTORIA Inc.

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## FORWARD

On behalf of Baseball Victoria, I would like to congratulate you on your selection to a representative team.

Baseball Victoria engenders a culture that supports the development of players through an array of strategies which facilitates both individual and team progression. Being afforded the opportunity to represent your community is a privilege and honour that has clear expectations regarding your conduct, behaviour and professionalism as an athlete. It is important that you are seen at all times, as both a role model and ambassador for Baseball.

A high level of commitment, effort, respect and adherence to the policies and procedures is an expectation for all players in all instances. Selection and representation in a representative team is a significant achievement which is a culmination of training, dedication, knowledge and skill development. As such, this is the pathway to potential opportunities within baseball. Participation in State teams, Australian teams, programs and potentially a collegiate or professional baseball career are all achievable goals. All players are required to read and sign the respective policies contained within this manual.

I would like to take this opportunity to again congratulate you on your achievement and I wish you every success in your participation at your respective event.



**Chet Gray**  
Chief Executive Officer  
Baseball Victoria



**BASEBALL**  
VICTORIA

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## DOCUMENT SCOPE AND PURPOSE

This document is aimed to educate each player, parent, coach, executive officer (EO), umpire and scorer (referred in this document as 'members') about the behaviour expectations and policies of the program.

The expectation is that each person will read, understand and comply with what is required to participate in a Baseball Victoria event or team.

If you have any questions regarding the information enclosed, please contact Baseball Victoria:

High Performance Officer: [damian.shanahan@baseballvictoria.com.au](mailto:damian.shanahan@baseballvictoria.com.au)

Performance Pathway Coordinator: [performance@baseballvictoria.com.au](mailto:performance@baseballvictoria.com.au)

Administration Officer: [administration@baseballvictoria.com.au](mailto:administration@baseballvictoria.com.au)

Chief Executive Officer: [ceo@baseballvictoria.com.au](mailto:ceo@baseballvictoria.com.au)

## PROGRAM MISSION STATEMENT

Baseball Victoria recognises that representative baseball is an important part of a complete baseball experience and career. Baseball Victoria are committed to fair play, teamwork, leadership development and community involvement. Baseball Victoria will continue to emphasize responsibility, strong work ethic and a positive attitude to help our members succeed on and off the field. All individuals involved, directly or indirectly, in our program/s must maintain and foster the values and goals associated with the Baseball Victoria Mission and Vision Statements.

### Program Objectives

- The assurance that members will be held to the highest level of accountability and understand that it is a privilege to represent Baseball Victoria and not a right.
- Commitment and acknowledgement that health and safety play a major role in the success of our programs.
- Understanding and implementing equitable opportunities for both males and females.
- Recognise that excellence in baseball may bring local, state and national exposure to Baseball Victoria.
- Recognize that education, employment and family exceed all other baseball responsibilities.

### Program Leadership

Baseball Victoria follows a hierarchical management structure to ensure its smooth operation. In all cases the CEO and High Performance Officer shall maintain the highest level of decision making authority and as such all decisions by people in these positions shall be respected.

The Head Coach and Executive Officers shall be given frameworks from which to leverage their decision-making capabilities. These are based around day-to-day decisions for the team, usually when present at an event. Any member found to be in violation of a direction or decision made by a higher authority will be subject to disciplinary action, which shall be determined by the CEO or High Performance Officer in accordance with the severity of the violation, the member's record of past conduct, and Baseball Victoria policies.

### Communication

Open, constructive and regular communication is encouraged between all levels of the program/s, particularly between each hierarchical level.

### Codes of Conduct

In order to participate in activities for Baseball Victoria, the member will not engage in conduct that reflects negatively on him/her, any fellow members, or Baseball Victoria.

Each member understands that if he/she is charged with violating public law, he/she will be suspended from his/her activity pending resolution of charges, unless and until, an exemption is granted by Baseball Victoria.

The Code of Conduct is made up of four parts;

1. Player's Code of Conduct
2. Coach's/Executive Officer's Code of Conduct
3. Member Protection Declaration
4. Parent and Supporter Code of Behaviour



## BASEBALL VICTORIA PLAYER CODE OF CONDUCT

The BV Player Code of Conduct has been developed for all players participating in tournaments or events.

A player's behaviour will be closely observed by others as he/she represents at special events.

Any behaviour that is unlawful or disrespectful to others is a slur on everyone associated with the team.

Any breach of this code or any behaviour detrimental to the game of baseball must be notified to the Event Management Team.

If, in the opinion of officials, there is a serious breach of Code of Conduct the player and/or staff member will be banned from the remainder of the event or program, the State Association notified and the player and/or staff member sent home by the first available transport.

Any additional expense incurred will be the responsibility of the player or their family. Code of Conduct

1. Compete by the competition conditions and rules.

2. Verbal abuse against umpires, opposing players or fans will not be tolerated.

3. Control your temper - no criticism by words or gesture.

4. Co-operate with your coach and team mates. Show respect for your opponents and their skills.

5. No drug use of any kind will be tolerated unless prescribed by a licensed physician.

6. Refrain from profanity at all times.

7. The use or possession of any form of tobacco, tobacco products, illegal drugs, drug paraphernalia or alcohol of any description while in team uniform or venue is banned.

8. The team officials shall have the right to conduct a search of a player's room, bags, clothing or personal belongings if he or she has a reasonable suspicion that a breach of the code of conduct has occurred or in the execution of providing adequate supervision. This must be conducted in the presence of the player and an additional adult witness.

9. Any activity likely to result in loss or wilful damage to private property or to cause a disturbance will not be tolerated.

10. All press statements and interviews of players must have BV approval.

11. No jewellery (e.g. earrings or studs) at all times.

12. Music on planes and buses is to be confined to individual headphones.

13. Report all injuries to a coach or trainer and schedule proper treatment with the physiotherapist when necessary.

14. No cameras will be allowed in the dugouts during games.

15. No one other than team personnel are allowed in locker rooms unless permission is obtained from the management.

16. Promptness for meetings, training sessions and games is mandatory.

17. Comply with instructions from security staff, airline staff, transport agents, hotel staff and any other service provider. Refrain from making statements that may be interpreted as security threats – especially within airports and on airlines.

18. Uniformity and sharpness in proper on-field dress is a must. This applies for practice sessions as well as games.

19. Proper off field walk-out dress will be worn as designated for flights and functions.

20. Adhere strictly to all house rules stipulated by any accommodation provider.

21. Adhere strictly to any curfews applied.

22. Refrain from entering any hotel room that is not your own.

23. Personal hygiene is the player's responsibility. It is essential that showers are taken after each game or practice.

24. Players are responsible for cleaning and maintaining their equipment.

25. Abuse of equipment such as throwing helmets or bats will not be tolerated.

26. Present BV in a positive image in accordance with the BV Member Protection Policy.

## BASEBALL VICTORIA PLAYER CODE OF CONDUCT CONSENT

I \_\_\_\_\_ have read the BV Player Code of Conduct and fully understand the responsibilities and conditions disclosed.

I will to the best of my ability, abide by the Player Code of Conduct during all BV endorsed events.

<b>Player Name</b>	
<b>Date</b>	
<b>Parent or Guardian Name</b>	
<b>Date</b>	



## BASEBALL VICTORIA COACHES, MANAGERS & EXECUTIVE OFFICERS CODE OF ETHICS

The coach/EO of a team may be the second most influential person in a player's life. Coaches, through their own behaviour (on and off the field) have an enormous impact on the development of young players. In establishing a solid foundation of character building with players, the key responsibility of any coach is to lead by example. This holds true at all levels of development. For these reasons and many more, in addition to the Coach/EO Code of Conduct, the Code of Ethics to encompasses all coaches and EOs representing Baseball Victoria in any endorsed and organised tournaments, development programs and special events.

These principles are considered practicable and are within the aims and objectives of the baseball in Victoria.

1. Provide Supervision of the behaviour of the team at all times.
2. Do not criticise players in front of spectators, parents and other teams. Review constructive criticism with a player in private or in the presence of the team.
3. Accept decisions of the umpire as being fair and called to the best of their ability. Do not abuse or ridicule an umpire, or allow your team members to do so.
4. Develop team respect for opponents, spectators and officials. Do not criticise other teams, supporters, or officials by words or gestures.
5. Set a good example in personal appearance and behaviour.
6. Encourage sportsmanlike behaviour among players.
7. Whenever possible, ensure all players have equal time on the field.
8. Encourage players to work together as a unified group (team work).
9. Keep yourself informed of sound coaching principles and seek more skilled advice when required.
10. Encourage your team to hustle on and off the playing field at all times.
11. All press statements and/or interviews must be within the guidelines of Baseball Victoria.
12. Place the welfare and development of the individual above a winning or losing record.
13. Do not embarrass your opponents. Baseball Victoria Ethics and Expectation Policy 2023
14. Do not use any form of tobacco or alcohol of any description on the field, in the dugouts or bullpens, or whilst in uniform.
15. Abide by the tournament's rules and regulations.
16. Be aware of any player with a medical problem.
17. Strive to develop a positive image and self-sufficient attitude with each player.
18. Enforce the Players Code of Conduct.
19. Present BV in a positive image in accordance with the BV Member Protection Policy.

Note: In cases where there are breaches of this code of ethics, the breaches can be reported to the Event Management Team.

If the breach(s) are found proved, then the matter (s) will be referred to the Tournament Judiciary for adjudication of penalty.

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## BASEBALL VICTORIA COACHES, MANAGERS & EXECUTIVE OFFICERS AGREEMENT

Team	Age Group
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☐ I have been provided with a copy of the BV Coaches Code of Ethics, and am aware of and fully understand the responsibilities and conditions disclosed.

☐ I acknowledge that I am bound by that Code, and that any breaches can be reported to the Tournament Management Team for their deliberation.

☐ If the breach(s) are found proved, then the matter(s) will be referred to the Tournament Judiciary for adjudication of possible (further) penalty.

Name	
Date	

## BASEBALL VICTORIA MEMBER PROTECTION COACH DECLARATION

BV has a duty of care to all those associated with the sport at the State level and to the individuals and organisations to whom our national Member Protection Policy applies. As a requirement of our State Member Protection Policy, BV must enquire into the background of those who undertake any work, coaching or regular unsupervised contact with people under the age of 18 years.

<b>Name</b>			
<b>Address</b>			
<b>DOB</b>			
<b>WWCC Number</b>		<b>Expires</b>	

☐ I confirm that

1. I do not have any criminal charge pending before the courts.
2. I do not have any criminal convictions or findings of guilt for sexual offences, offences related to children or acts of violence or narcotics.
3. I have not had any disciplinary proceedings brought against me by an employer, sporting organisation or similar body involving child abuse, sexual misconduct or harassment, other forms of harassment or acts of violence or narcotics.
4. I am not currently serving a sanction for an anti-doping rule violation under an ASADA approved anti-doping policy applicable to me.
5. I will not participate in, facilitate or encourage any practice prohibited by the World Anti-Doping Agency Code or any other ASADA (now called Sport Integrity Australia) approved anti-doping policy applicable to me.
6. To my knowledge there is no other matter that the Baseball Australia (BA) may consider to constitute a risk to its members, employees, volunteers, athletes or reputation by engaging me.
7. I will notify the CEO of the organisation(s) engaging me immediately upon becoming aware that any of the matters set out in clauses 1 to 6 above has changed.

### Parent/Guardian Consent (in respect of a person under the age of 18 years)

- ☐ I have read and understood the declaration provided by my child.
- ☐ I confirm that the contents of the declaration provided by my child are true and correct in every regard.

<b>Name</b>	
<b>Date</b>	

## BV PARENT AND SUPPORTER CODE OF BEHAVIOUR

All parents, supporters and spectators must abide by the BV Parents and Supporters Code of Behaviour as well as codes or policies of host organisations, venues and local authorities' policies.

As a parent, supporter or spectator associated in or attending any activity held by or under the auspices of the Baseball Victoria, a member association or an affiliated club, these policies and codes of behaviour is binding.

### Requirements

A parent or supporter must meet the following requirements regarding your conduct during any baseball activity or event:

1. Respect the decisions of officials and teach young people to do the same.
2. Never ridicule or scold a young player for making a mistake.
3. Condemn the use of violence in any form, whether it is by other spectators, coaches, officials or players.
4. Show respect for your team's opponents.
5. Do not use violence, harassment or abuse in any form (i.e., do not use foul language, sledge or harass players, coaches, officials or other spectators).
6. Respect the rights, dignity and worth of every person regardless of their gender, ability, cultural background or religion.
7. No obscene or indecent messages on signs or clothing.
8. Not to be intoxicated or unruly during pre-game and game activities.
9. Not interfere with the play of the game in any manner. This includes running onto the field or throwing objects onto the field of play.
10. Respect the rights and decisions of the BV appointed staff of Events and Teams, charged with the supervision and wellbeing of players and the game.

### Process

Spectators or supporters seen to be conducting themselves in an inappropriate manner, breaching the Parent and Supporter Code of Behaviour and/or bringing the team and game into disrepute, appropriate person/s have a responsibility to report such incidents to BV or the correct authority and for the BV to exercise its rights to take appropriate action.

### Penalties

Supporters violating the Parent and Supporter Code of behaviour may be ejected from the game and the boundaries of the event venue immediately and/or for an appropriate length of time at the discretion of the Event Manager.

They also may lose future privileges for repeat offences or severe infractions.

## GENERAL INFORMATION AND EXPECTATIONS

### Sportsmanship

All members bear the responsibility of displaying good sportsmanship during games and competition. Behaviour always must reflect the high standards of honour and dignity that should characterise participation in competitive sports. Members shall conduct themselves in a manner reflecting positively on the reputation of Baseball Victoria both on and off field, in pre-game and post-game comments to the public and media, and when traveling and participating at other institutions.

Members are expected to maintain an attitude of dignity and respect toward opponents.

The following are examples of unsportsmanlike behaviour are;

- fighting
- taunting opponents
- inappropriate “celebrations” with the intent to demean opponent
- disrespectful attitude toward opponents
- inciting crowd hostility toward opponents
- profane and vulgar language

We are committed to establishing great sportsmanship and developing healthy environments for competition through five core values, being:

- Integrity
- Respect
- Responsibility
- Sportsmanship
- Leadership

These character values help young people and those associated with their development make good choices in all aspects of their life and reflect the true spirit of competition.

Members displaying unsportsmanlike behaviour will be subject to disciplinary action as determined by Baseball Victoria.

### Personal Presentation

A member’s physical presentation reflects Baseball Victoria. While representing Baseball Victoria, athletes must be well groomed and presentable as determined by the coaching staff and Baseball Victoria.

Logos, body art and tattoos deemed inappropriate by coaches or Baseball Victoria must be covered when representing Baseball Victoria or an affiliate.

Players and team staff may also be subject to additional presentation standards issued by their specific team and coaching staff.

## **Equipment/Uniform Apparel**

All players, coaches and team staff must only wear the official and approved clothing, always when at the field, on the field, during travel and during official functions.

All equipment supplied by BV remains the property of Baseball Victoria and must be returned at the end of each event or program.

Equipment/apparel provided by Baseball Victoria should only be used in conjunction with the programs and events as specified by Baseball Victoria.

Failure to follow this policy could result in suspension, loss of eligibility or loss of other privileges determined by the CEO.

## **Practice Facilities**

Baseball Victoria provides and/or hires practice facilities to aid in the pursuit of athletic excellence.

Practice facilities, including the field, weight rooms, locker rooms, swimming pools, recovery centres and other athletic facilities, are only to be used under the supervision of a coach or another authorized member of the program.

Under no circumstances is a member to use a practice facility for recreational purposes or to aid persons not approved by the program in accessing practice facilities, except as authorized by BV.

Failure to follow these rules could result in loss of eligibility, suspension or other consequences.

Often practice facilities are used under agreement with a baseball club.

Every effort should be taken by all members to ensure the facilities are returned to a “better than found” condition. This includes the repair of the field, cleaning of rubbish, return of equipment and consideration towards residents and other facility users.

## **Payment of Levies and Expenses**

All teams will incur costs as part of their participation within various events.

In recent times, BA have employed a Registration and Participation package for all National Championships.

When possible, BA shall include accommodation, meal and ground transport arrangements within the package. Included within this, BA has installed a ‘Fare Equalisation Policy’ that attempts to ensure each player, regardless of their geographical location, pay an identical amount for their travel costs to attend a National tournament.

Any costs that BA request Victorian Teams to pay to participate in a National Tournament or Championships shall be portioned between the players without additional margins other than costs incurred directly by Baseball Victoria outside of the activities within the BA package.

Baseball Victoria also implement a Fare Equalisation Policy for event like the various State Titles.

## Conditions of Levy Payment

As a condition of participation over and above those set within this document and those set by BA (or event organizer), players must have completed one of the following by the date set out in the invoice sent out on the invoice by BV;

- Paid their nominated levy to Baseball Victoria or their Region in full, or
- In extenuating circumstances, only, paid a deposit and entered a repayment arrangement with Baseball Victoria to ensure the levy is finalized no later than the date agreed with the CEO.

## Academic Policy

Junior players have a responsibility to pursue academic excellence, as well as athletic excellence. It is the responsibility of players to seek out and use appropriate resources, develop time management skills, develop effective study skills and understand the requirements of their studies and ensure that they are not using baseball as an excuse not to perform well academically.

Coaches and team staff are to be considerate of players' academic needs, especially during highly important stages such as exams periods.

## Medical Policy

All players, coaches, EOs and officials are required to disclose all injuries, illnesses and conditions, as well as their level of medical expense cover (i.e. additional private health insurance) every time they are selected to participate for or represent Baseball Victoria.

From time to time, players, coaches, EOs and officials may require medical assistance in cases of illness or injury whilst under the care of Baseball Victoria.

Parents are requested to allow appointed Baseball Victoria officials to obtain medical assistance and treatment from a qualified medical officer/practitioner as deemed necessary. In these cases, Baseball Victoria will not meet the cost of any medical or hospital service incurred. This will be the responsibility of the injured or ill person.

As such, Baseball Victoria strongly recommends that each member have adequate health insurance and extras cover always. Baseball Victoria shall not be deemed responsible or liable, whether in contract or in tort or under any statute, for any injury, illness, loss or damage or other mishap to person or property sustained in, arising from or out of, or in any way directly or indirectly connected with my participation in a Baseball Victoria team or program.

## Drug and Alcohol Policy

The Baseball Victoria Drug and Alcohol Policy applies to on field facilities, such as the field, dugout, bullpens, spectator areas, and clubhouse, as well as off field facilities, such as accommodation, airports, and vehicles provided by Baseball Victoria.

All on and off field facilities noted above are to remain Drug and Alcohol Free always for each player, parent, coach, executive officer, umpire and scorer.



All members need to recognize and abide by these policies along with any other sanctions, rules, or disciplinary actions that are described in this policy or any other policies from all affiliations we are members of.

Baseball Victoria expects all members to adhere to all Federal, State, and city laws, which include but are not limited to the consumption of Alcohol under the legal age of 18 or the distribution of Alcohol to a person(s) under the legal age of 18. It is against this policy for any player, coach, executive officer, umpire and scorer to participate in possession, distribution or the use of alcohol 24 hours prior to any practice or game.

Any violation may receive reprimand through the judicial process and will be under review and may receive further disciplinary action through each individual coach of the athlete with guidance from the High Performance Officer. In any circumstance that Baseball Victoria feels obligated to refer the member's violation to the appropriate authorities it will, and the member may be subject to criminal charges. The member will be responsible for any fees related to counselling, public service units called to the on or off field facilities, and any other expenses incurred due to the violation.

Substance abuse is not limited to "social drugs" (i.e. marijuana, cocaine, alcohol).

In the best interests of each player, parent, coach, executive officer, umpire, scorer, and Baseball Victoria "performance enhancing" drugs (e.g. steroids) are also prohibited under BA and WADA Anti-Doping Codes.

If there are questions or concerns regarding the use of any drug or medication, please contact the CEO prior to using such substance.

Please visit the WADA website at <http://www.wada-ama.org> for list of prohibited drugs and to download a "[Therapeutic Use Exemption](#)" form or TUE form. The ABF and ASADA could test in or out of competition for the use of both "social" and "performance enhancing" drugs. Baseball Victoria will accept no responsibility should a player's test be positive.

## Taking Images of Children

There is a risk that Images of children may be used inappropriately or illegally.

BV requires that individuals and associations, wherever possible, obtain permission from a child's parent/guardian before taking an image of a child that is not their own.

They should also make sure the parent/guardian understands how the image will be used. To respect people's privacy, we do not allow camera phones, videos and cameras to be used inside changing areas, showers and toilets which we control or are used in connection with our sport.

When using a photo of a child, we will not name or identify the child or publish personal information, such as residential address, email address or telephone number, without the consent of the parent/guardian.

We will not provide information about a child's hobbies, interests, school or the like, as paedophiles or other persons to "groom" a child can use this.

We will only use images of children that are relevant to our sport and we will ensure that they are suitably clothed in a manner that promotes participation in the sport.

We will seek permission from the parents/guardians of the children before using the images. We require our member associations and clubs to do likewise.

## Harassment

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").

## Discrimination

Discrimination occurs when someone is 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 is 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, 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
- Personal association with someone who has, or is assumed to have, any of the above characteristics

## Bullying

BV 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 behaviours, 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 using technology. New technologies and communication tools, such as smart phones and social networking websites, have greatly increased the potential for people to be bullied through unwanted and inappropriate comments.

BV will not tolerate abusive, discriminatory, intimidating or offensive statements being made online. Frustration at a referee, teammate, coach or sporting body should never be communicated on social networking websites.

These issues should instead be addressed – in a written or verbal statement or a complaint – to the relevant controlling club, league, association, State body or Baseball Australia.

If any person believes they are being, or have been, bullied by another person or organisation bound by this policy, he or she may make a complaint [HERE](#).

## Social networking

BV 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. BV expect all people bound by this policy to conduct themselves appropriately when using social networking sites to share information related to our sport. 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 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. Baseball Victoria

## What is a breach of this policy?

(Extract from [BV Member Protection Policy](#) section 3 – Prohibited Conduct).

A Relevant Person or Relevant Organisation commits a breach this Policy when they, either alone or in conjunction with another or others, engage in any of the following conduct against one or more Relevant Persons or Relevant Organisations, in the circumstances outlined in clause 2:

- (a) Abuse
- (b) Bullying
- (c) Harassment
- (d) Sexual Misconduct
- (e) Unlawful Discrimination
- (f) Victimisation or
- (g) Vilification.

[SCHEDULE 1](#) sets out examples of what may constitute Prohibited Conduct under this Policy.

## Complaints, Disputes and Discipline Policy

Any disciplinary measure imposed will be:

- Fair and reasonable;
- Applied consistent with any contractual and employment rules and requirements;
- Be based on the evidence and information presented and the seriousness of the breach; and
- Be determined in accordance with our constituent documents, bylaws, this policy and/or the rules of the sport.

If a finding is made following an investigation that an individual has breached this policy, one or more of the following forms of [measures](#) may be imposed.

- (i) a reprimand or warning
- (ii) verbal or written apology
- (iii) direction to attend counselling or training to address their behaviour
- (iv) suspended Sanction and/or good behaviour period
- (v) removal of accreditation
- (vi) removal or withdrawal of awards or achievements (such as life membership)
- (vii) exclusion from a particular event or events, competition, or activity
- (viii) suspension of membership from Baseball Victoria or a Baseball Organisation and any other members or affiliates

- (ix) suspension from such activities or events held by or under the auspices of Baseball Victoria or a Baseball Organisation
- (x) suspension and/or termination of any rights, privileges and benefits provided by Baseball Victoria or a Baseball Organisation
- (xi) expulsion from Baseball Victoria or a Baseball Organisation and
- (xii) any other form of discipline that is considered appropriate.

### 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 policy
- 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 policy)
- Any other mitigating circumstances.

## SCHEDULE 1 - Examples of Prohibited Conduct

1. **Abuse** must be behaviour of a nature and level of seriousness which includes, but is not limited to:

- (a) physical abuse and assault including hitting, slapping, punching, kicking, destroying property, sleep, and food deprivation, forced feeding, unreasonable physical restraint, spitting at another person or biting
- (b) sexual abuse including rape and assault, using sexually degrading insults, forced sex or sexual acts, deliberately causing pain during sex, unwanted touching or exposure to pornography, sexual jokes, using sex to coerce compliance
- (c) emotional abuse such as repeated and intentional embarrassment in public, preventing or excluding someone from participating in sport activities, stalking, humiliation, or intimidation
- (d) verbal abuse such as repeated or severe insults, name calling, criticism, swearing and humiliation, attacks on someone's intelligence, body shaming, or aggressive yelling
- (e) financial abuse such as restricting access to bank accounts, taking control of finances and money, forbidding someone from working, taking someone's pay and not allowing them to access it
- (f) neglect of a person's needs.

2. **Bullying** must be behaviour of a nature and level of seriousness which includes, but is not limited to, repeatedly:

- (a) keeping someone out of a group (online or offline)
- (b) acting in an unpleasant way near or towards someone
- (c) giving nasty looks, making rude gestures, calling names, being rude and impolite, constantly negative and teasing
- (d) spreading rumours or lies, or misrepresenting someone (i.e., using their social media account to post messages as if it were them)
- (e) 'fooling around', 'messaging about' or other random or supposedly playful conduct that goes too far
- (f) harassing someone based on their race, sex, religion, gender, or a disability
- (g) intentionally and repeatedly hurting someone physically
- (h) intentionally stalking someone and
- (i) taking advantage of any power over someone else, but does not include legitimate and reasonable:
  - (a) management action
  - (b) management processes
  - (c) disciplinary action or
  - (d) allocation of activities in compliance with agreed systems.

**3. Harassment** must be behaviour of a nature and level of seriousness which includes, but is not limited to:

- (a) telling insulting jokes about racial groups
- (b) sending explicit or sexually suggestive emails or text messages
- (c) displaying racially offensive or pornographic images or screen savers
- (d) making derogatory comments or taunts about someone's race
- (e) asking intrusive questions about someone's personal life, including his or her sex life
- (f) sexual harassment or any of the above conduct in the workplace by employers, co-workers, and other workplace participants
- (g) any of the above conduct in the workplace, based on or linked to a person's disability or the disability of an associate and
- (h) offensive behaviour based on race or racial hatred, such as something done in public that offends, insults, or humiliates a person or group of people because of their race, colour or nationality or ethnicity.

**4. Sexual Misconduct** is behaviour including, but not limited to:

- (a) unwelcome touching
- (b) staring or leering
- (c) suggestive comments or jokes
- (d) showing or sharing sexually explicit images or pictures
- (e) unwanted invitations to go out on dates
- (f) requests for sex
- (g) intrusive questions about a person's private life or body
- (h) unnecessary familiarity, such as deliberately brushing up against a person
- (i) insults or taunts based on sex
- (j) sexually explicit physical contact
- (k) sending sexually explicit or suggestive emails, texts, or other electronic/social media messages
- (l) displaying pornographic images or screen savers
- (m) asking intrusive questions about someone's personal life, including about his or her sex life and
- (n) criminal offences such as rape, indecent or sexual assault, sexual penetration, or relationship with a child under the age of 16 and possession of child pornography.



5. **Unlawful Discrimination** is unfair treatment based on a person's:

- (a) age
- (b) disability
- (c) race, colour, nationality, ethnicity, or migrant status
- (d) sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding and
- (e) sexual orientation, gender identity or intersex status.

6. **Victimisation** is behaviour including, but not limited to:

- (a) dismissal of an employee/volunteer or disadvantage to their employment/involvement in sport
- (b) alteration of an employee's position or duties to his or her disadvantage
- (c) discrimination between an employee and other employees
- (d) repeated failure to select an individual on merit
- (e) a reduction in future contract value and
- (f) removal of coaching and other financial and non-financial support.

7. **Vilification** is behaviour including, but not limited to:

- (a) speaking about a person's race or religion in a way that could make other people dislike, hate, or ridicule them
- (b) publishing claims that a racial or religious group is involved in serious crimes without any evidence in support
- (c) repeated and serious verbal or physical abuse about the race or religion of another person
- (d) encouraging violence against people who belong to a particular race or religion, or damaging their property and
- (e) encouraging people to hate a racial or religious group using flyers, stickers, posters, a speech, or publication, or using websites or email.

