



**NATIONAL TEAM, NATIONAL PROGRAMME, SPORT IRELAND CARDED ATHLETE,
REGIONAL PROGRAMME AND/OR NATIONAL HUB/CENTRE 'IN-TOUCH'
CODE OF CONDUCT & ATHLETE MEMBER AGREEMENT**

BETWEEN

SWIM IRELAND

-and-

("the Athlete")

Made on the 4th day of September in the year 2023

for the period 4th September 2023 – 31st August 2024

I acknowledge that my participation as Sport Ireland Carded Athlete or as a member of a Swim Ireland National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme is conditional on entering into this Agreement and observing its terms and conditions. I have carefully read this document and understand it and the consequences flowing from any breach of its terms and conditions.

Initials _____ (Athlete)

Initials _____ (Parent if Under 18 yrs)

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1. INTRODUCTION

This Code of Conduct has been designed to ensure that all Sport Ireland Carded Athletes, National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Members understand the acceptable standards of behaviour and conduct that are expected of them as high-profile members of the Irish swimming & diving community, something that is a natural by-product of Carding status and/or National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Membership.

The Code of Conduct should be read in conjunction with all the documents at Schedule 1. You are expected to have carefully read all documents in Schedule 1 and note that any breach of those documents amounts to a breach of this Code which may result in sanctions against you under the Swim Ireland Complaints & Disciplinary Rules. Feel free to seek legal or financial advice prior to signing should you have any queries or concerns

If it is agreed that you are/will become a full-time member of a Swim Ireland National Hub/Centre, a separate agreement will be provided which describes the specific conditions applicable to that particular selection. However, to clarify any ambiguity, the behavioural principles outlined in this Code of Conduct still apply in addition to those covered in any such additional agreements

We are pleased that you are working with us as a Swim Ireland National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Member and trust that this union signifies the next step on your journey towards success as a performance athlete representing your country

Our very best wishes to you on achieving your aspirations and goals and we will, of course, do all that we can to support you in this time together

Kindest Regards



Dr Jon Rudd
National Performance Director
(Swimming & Diving)

2. WHY AM I SIGNING THIS CODE?

I acknowledge this Code of Conduct sets out the terms and conditions by which I shall operate during my time as a National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Member.

I understand that if I breach any of these terms and conditions, at its sole discretion Swim Ireland may instigate the processes outlined in the Discipline and Sanctions sections referenced in the Swim Ireland Complaints and Disciplinary Rules and Procedures which is set out at Appendix 1

I confirm that I have read the rules and policies listed at Schedule 1 below and understand that any breach of those appendices amounts to a breach of this Agreement.

3. DEFINITIONS

Terms defined in the Swim Ireland Memorandum and Articles of Association shall have the same meaning in this Code of Conduct unless the context indicates otherwise or as otherwise defined below:

Agreement means this executed Code of Conduct made between a National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Member and Swim Ireland.

C&D Rules means the Swim Ireland Complaints & Disciplinary Rules and Procedures

Head Coach means the Lead coach of a Swim Ireland National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme

Member means athletes selected to be members of a Swim Ireland National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme for swimming or diving.

Club means any Club as defined in the Swim Ireland Memorandum and Articles of Association.

Code of Conduct means this Code of Conduct and Member Agreement between me and Swim Ireland and includes any schedule and appendix to the Code.

Complaint means an expression of discontent by one Unit concerning the behaviour of any other Unit, which must be submitted in writing (which may include email) accompanied by all relevant documentation in support of the Complaint and the appropriate fee.

Competition Rules mean the rules governing any competition as recognised and published from time to time by the Board of Swim Ireland or any Unit duly authorised by Swim Ireland for such purpose.

Complaints & Disciplinary Committee means the Complaints & Disciplinary Committee of the Club, Region or of Swim Ireland, as the case may be.

Cyber-Bullying means the use of electronic devices and information, such as social media, online forums, e-mail, instant messaging, blogging and text messaging to send or post cruel, defamatory or harmful messages or images/video about an individual or group.

Disciplinary Action means an action brought by a Club/Region/Swim Ireland against a Unit.

Disciplinary Report means a report from an official and/or Responsible Person or any clarification or addition thereto.

Initials _____ (Athlete)

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Discipline means a sanction imposed by way of correction and education/training. Disciplinary will have the equivalent meaning.

Employees means any employee of Swim Ireland.

Event means any activity (including but not limited to coaching, training, meetings and competitions) in connection with the National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme and/or a Swim Ireland/LEN/World Aquatics/IOC sanctioned event.

IOC means the International Olympic Committee.

LEN means the Ligue Européenne de Natation.

Member means Member of Swim Ireland as defined in the Swim Ireland Memorandum and Articles of Association.

National Hub/Centre 'In-Touch' means the formal Swim Ireland coaching programme offered in Dublin or Limerick to part-time Members

National Programme means membership of the annual selection to the National Coaching programme offered to Performance, Performance Transition and Performance Pathway 'On Track' athletes

National Team means those athletes who are selected to represent Ireland at an international Championships or Games.

Official means any person who officiates at or assists in a competition.

Participant means any Member or person who participates in Events or activities organised by Swim Ireland, its Regions/Clubs, in any capacity, including but not limited to an athlete, coach, leader, manager, volunteer, Swim Ireland employee, sports science/sports medicine practitioner or spectator.

Programme means any activity offered under the auspices of a National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' coaching/training/racing initiatives

Region means any Region as defined in the Swim Ireland Memorandum and Articles of Association, sometimes referred to as Provinces.

Regional Programme means those athletes that are selected for this Programme in any one of the four Regions on an annual basis.

Reprimand means a recorded written admonishment for a period of three months.

Respondent means the person responding to or the subject of a Complaint as specified in Clause 1 of the C&D Rules.

Responsible Person means the Member in ultimate authority over a Member, team or delegation at an Event. At a training session the Head Coach is the Responsible Person. At a National competition, the Head Coach and/or the Team Manager is the Responsible Person. At an International competition the Team Leader shall be the Responsible Person.

Spectator means any person who neither participates in nor officiates at an Event but who attends in a capacity to support a Participant or Participants.

Swim Ireland means the Irish Amateur Swimming Association Limited trading as Swim Ireland.

Term means the period from when I am selected as a National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Member to the date this Agreement ends.

Unit means any individual Member, team, association, parent, legal guardian, Club, Region or committee or subcommittee or other grouping within or affiliated to Swim Ireland.

4. MY OBLIGATIONS

As a member of a Swim Ireland National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme:

I WILL	I WILL NOT
<ol style="list-style-type: none"> 1. Behave professionally. 2. Demonstrate commitment to the National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme. 3. Uphold the good reputation of Swim Ireland. 4. Respect myself and my health and safety. 5. Respect all Participants. 6. Comply with all lawful directions issued to me by Swim Ireland. 7. Immediately inform Swim Ireland if I am charged with a criminal offence. 8. Immediately report to Swim Ireland any attempt to bribe me or any Participant. 9. Notify the Swim Ireland Associate Head of Performance Services (Applied) or National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Head Coach if I am taking medication or prescription drugs of any kind. 10. Read and adhere to Swim Ireland's Policies, including those listed at Schedule 1. 11. Act as a worldwide ambassador for Swim Ireland. 12. Acknowledge that it is the right of any person to lodge a Complaint concerning an alleged breach of the standards of behaviour. 13. Abide by the Competition Rules and rules regarding disciplinary procedures as laid out in the C&D Rules. 14. Fully co-operate with any reasonable investigation carried out by (or on behalf of) Swim Ireland or relevant authorities. 	<ol style="list-style-type: none"> 1. Fight, physically assault or engage in aggressive or threatening behaviour. 2. Cheat. 3. Engage in racist conduct of any description. 4. Engage in a curfew violation. 5. Participate if ineligible. 6. Endanger the health and safety of any Participant. 7. Discriminate against any Participant including making discriminatory comments. 8. Harass or offend any Participant. 9. Bully, humiliate or demean any Participant. 10. Engage, participate in or encourage Cyber-Bullying or any form of online harassment. 11. Make mischievous or vexatious Complaints. 12. Participate at an Event without the authorisation of Swim Ireland. 13. Verbally or physically abuse others. 14. Disclose private details (including images) of Participants. 15. Disclose, directly or indirectly, any information to others about Swim Ireland's members, business or operations, unless expressly authorised to do so. 16. Provide false or misleading information to Swim Ireland or its representatives. 17. Steal or deliberately damage Swim Ireland property. 18. Deliberately mislead, defraud or assist another person to steal or defraud Participants. 19. Bring my own reputation into disrepute. 20. Bring the reputation of Swim Ireland and its nominated partners, sponsors and/or stakeholders into disrepute.

Initials _____ (Athlete)

Initials _____ (Parent if Under 18 yrs)

I WILL	I WILL NOT
<p>15. Abide with my contractual obligations towards Swim Ireland.</p>	<p>21. Consume or possess tobacco products, alcohol or illegal drugs at any time on Swim Ireland premises or at any Event.</p> <p>22. Use tobacco, alcohol and/or illegal drugs in conjunction with athletic preparation or Events.</p> <p>23. Directly or indirectly gamble or bet on any aspect of any Event.</p> <p>24. Facilitate others in gambling, including the provision of any inside information (being non-public information), about any Event.</p> <p>25. Accept a bribe.</p> <p>26. View or share any internet content of an inappropriate nature to fellow Members.</p> <p>27. Present myself in any way on social media that brings into question the high-performance attitude of me or fellow Members. This includes, but is not limited to, posting offensive or inappropriate material on social media, for example; photos, videos, comments or posts depicting:</p> <ul style="list-style-type: none"> (i) personal use of alcohol or drugs; (ii) content of a sexual nature; (iii) violent or illegal activities (iv) content that is unsportsmanlike, derogatory, demeaning or threatening toward any other individual or entity. <p>28. Breach the terms of this Agreement or any of the Rules or Policies set out in Schedule 1.</p>

5. SWIM IRELAND OBLIGATIONS

During the Term of this Agreement, Swim Ireland agrees to:

- (i) Select Members to the National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme in accordance with the selection process extant at that time;
- (ii) Provide to the extent realistically possible, a quality and safe Performance environment and facilities;
- (iii) Determine and arrange travel insurance and public liability insurance as required for you, the details of which will be supplied to you by Swim Ireland on an Event-by-Event basis and as soon as practicable;
- (iv) Provide advice and assistance to you for public relations, media and sponsorship matters which may arise.

6. SANCTIONS

Any alleged breach of the terms of this Code of Conduct shall be subject to the procedures set out in the C&D Rules at Appendix 1 below. Guidelines on the applicable sanctions set out at Appendix 1 below can be broadly categorised as follows:

6.1 Warnings

Prior to imposing an Immediate Sanction, where appropriate, a Responsible Person may issue any of the following Warnings in any sequence to a National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Member or to a Member at an Event prior to imposing an Immediate Sanction:

- (a) Verbal Warning;
- (b) Written Warning.

6.2 Immediate Sanctions

The following Immediate Sanctions may be imposed by a Responsible Person to a Member at an Event:

- (a) Time Out from the National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme and/or Event;
- (b) Removal of Privileges at the National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme and/or Event;
- (c) Suspension from the National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme and/or Event;
- (d) Expulsion from the National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme and/or Event.

6.3 Interlocutory Sanctions

- 6.3.1 On confirmation that a Respondent is under criminal investigation for a criminal offence, which if proven, is likely to bring the National Team, National Programme, Regional Programme and/or National

Centre 'In-Touch' Programme, Region or Swim Ireland into disrepute, then the Chair of the Board of Swim Ireland shall be empowered to suspend a Respondent from the National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch' Programme and/or from Membership of Swim Ireland and/or from future participation in a Club, National Team, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch', Region or National Event and/or from attending a Club, National Programme, Regional Programme and/or National Hub/Centre 'In-Touch', Region or National building pending the outcome of a criminal investigation prior to any hearing on the matter before a Complaints & Disciplinary Committee

- 6.3.2 The Chair of the Board of Swim Ireland shall be empowered to impose a suspension on a Respondent pending the determination of a Complaint by the Complaints & Disciplinary Committee where the gravity of the Complaint received shall warrant immediate suspension.

6.3 Non- Immediate Sanctions

The following Non-Immediate Sanctions may be imposed by a Complaints and Disciplinary Committee:

- (a) Reprimand;
- (b) Severe Reprimand;
- (c) Written Warning;
- (d) Removal of privileges;
- (e) Suspension from participation in:
 - i. Event/s
 - ii. National Team, National Programme, Regional Programme and/or a National Hub/Centre
- (f) Suspension from Membership/Affiliation;
- (g) Expulsion from Membership;
- (h) Fine;
- (i) Suspension of a Licence to Practice;
- (j) Revocation of a Licence to Practice;
- (k) Other.

7 MITIGATING AND AGGRAVATING FACTORS

- 7.1.A Complaints & Disciplinary Committee shall consider mitigating and aggravating factors once a decision on culpability is reached but prior to the imposition of a sanction.

7.2. A Complaints and Disciplinary Committee shall consider the following factors:

- (a) Age;
- (b) Co-operation;
- (c) Prior warnings;
- (d) Prior record;
- (e) Apology made;
- (f) Remorse;
- (g) Gravity of offence;
- (h) Effect on victim;
- (i) Effect of sanction on Respondent;
- (j) Any other factor deemed relevant.

7.1. INCORPORATION OF BEHAVIOUR STANDARDS INTO THE COMPETITION ENVIRONMENT

The behaviour standards outlined in this Code of Conduct are applicable when you are attending or participating in any Swim Ireland, World Aquatics, LEN, Commonwealth Games Association or International Olympic Council sanctioned competition (whether within Ireland or overseas).

7.2. EFFECT OF OTHER DOCUMENTS

I acknowledge that the rules, policies and guidelines included in Schedule 1 and Appendix 1 (as currently in force or as amended from time to time into the future) are incorporated into this Code of Conduct and are to be read in conjunction with this Code of Conduct and in the context of my overall engagement with Swim Ireland:

I acknowledge and agree that in the event of an inconsistency between these rules, policies and this Code of Conduct, the relevant policy or rule will apply to the extent of the inconsistency.

SIGNATURE ON BEHALF OF MEMBER

My Signature

Date

Parent Signature
(for athletes Under 18 years)

Date

Initials _____ (Athlete)

Initials _____ (Parent if Under 18 yrs)

APPENDIX 1

Sanction Guidelines as per Swim Ireland Complaints & Disciplinary Rules & Procedures (2018 Version)

SCHEDULE 1

- A. Swim Ireland 'On This Performance Team' Handbook
- B. Swim Ireland Appearance Policy
- C. Swim Ireland Media Policy
- D. Swim Ireland Uniform Policy
- E. Swim Ireland Sports Supplement Policy
- F. Swim Ireland Betting, Gambling & Integrity Policy
- G. Sport Ireland's Irish Anti-Doping Rules

APPENDIX 1

Sanction Guidelines as per Swim Ireland Complaints & Disciplinary Rules & Procedures (2018 Version)

Low Offence	Medium Offence	High Offence
Option 1	Option 1	Option 1
Written Warning for 12 months plus a fine of between €50 and €100	Written Warning for 12 months plus a fine of between €100 and €200	Written Warning for 12 months plus a fine of between €200 and €500
Option 2	Option 2	Option 2
Suspension for a period of up to three months With option of monetary fine	Suspension for a period of between three and six months With option of monetary fine	Suspension for a period of between six and twelve months With option of monetary fine
Ultimate Sanction The ultimate sanction shall be expulsion from the organisation		

Payment of Fines

It is a condition of membership of Swim Ireland that all fines imposed must be paid. Fines remaining outstanding for 14 days will result in a disciplinary action being taken.

Suspension

The nature of the suspension shall be specified in the sanction and may mean one, some or all of the following:

- Suspension from Membership of the organisation
- Suspension of Licence
- Suspension from events or activities

Offence	Low Offence	Medium Offence	High Offence
Section 1			
Fighting, Aggressive or threatening behaviour	N/A	Written Warning for 12 months plus a fine of between €100 and €200 Or Suspension for a period of between three and six months With option of monetary fine	Written Warning for 12 months plus a fine of between €200 and €500 Or Suspension for a period of between six and twelve months With option of monetary fine
Damaging the dignity of a person or a group of persons, in any way whatsoever, in particular due to his/her colour, race, handicap, sex, sexual orientation, religion or ethnic origin	N/A		
Racism	N/A		
Inciting hatred or violence	N/A		
Intimidation or threats	N/A		
Corruption	N/A		
Acts or omissions bringing Swim Ireland, any department or official thereof and/or the sport of swimming into disrepute	N/A		
Alcohol or substance use during an Event or while carrying out official duties	N/A		

Initials _____ (Athlete)

Initials _____ (Parent if Under 18 yrs)

Offence	Low Offence	Medium Offence	High Offence
Section 2			
Offensive behaviour to other swimmers, participants, judges or Swim Ireland officials	<p>Written Warning for 12 months plus a fine of between €50 and €100</p> <p style="text-align: center;">Or</p> <p>Suspension for a period of up to three months With option of monetary fine</p>	<p>Written Warning for 12 months plus a fine of between €100 and €200</p> <p style="text-align: center;">Or</p> <p>Suspension for a period of between three and six months With option of monetary fine</p>	<p>Written Warning for 12 months plus a fine of between €200 and €500</p> <p style="text-align: center;">Or</p> <p>Suspension for a period of between six and twelve months With option of monetary fine</p>
Unsportsmanlike behaviour			
Cheating			
Visitation violation			
Curfew violation			
Bullying			
Coercion			
Discrimination			
Foul language			
Disparaging comments			

Offence	Low Offence	Medium Offence	High Offence
Section 3			
Violation of instructions and directives from Swim Ireland Officials			
Violation of contractual obligations towards Swim Ireland			
Ineligibility			
Forgery or falsification	Written Warning for 12 months plus a fine of between €50 and €100	Written Warning for 12 months plus a fine of between €100 and €200	Written Warning for 12 months plus a fine of between €200 and €500
Mischievous or vexatious Complaints	Or	Or	Or
Participation at an Event without the permission of Swim Ireland	Suspension for a period of up to three months With option of monetary fine	Suspension for a period of between three and six months With option of monetary fine	Suspension for a period of between six and twelve months With option of monetary fine
Purporting to represent Swim Ireland without the permission of Swim Ireland			
Taking part in a competition or display organised by a club or committee not affiliated to Swim Ireland			

Offence	Low Offence	Medium Offence	High Offence
Section 4 (Breach of Codes of Conduct/Rules)			
Breaches of Rules and/or Codes of Conduct or Safeguarding policies as amended from time to time	Written Warning for 12 months plus a fine of between €50 and €100 Or Suspension for a period of up to three months With option of monetary fine	Written Warning for 12 months plus a fine of between €100 and €200 Or Suspension for a period of between three and six months With option of monetary fine	Written Warning for 12 months plus a fine of between €200 and €500 Or Suspension for a period of between six and twelve months With option of monetary fine

Offence	Low Offence	Medium Offence	High Offence
Section 5 (Criminal Offences)			
Criminal investigation for indictable offences	Suspension from Swim Ireland participation pending the outcome of criminal investigations		
Criminal conviction likely to bring Swim Ireland into disrepute.	Suspension from Swim Ireland participation pending the outcome of criminal investigations		