



**AUSTRALIAN
CHEER UNION**

**Australian Cheer Union
Ethics and Integrity Committee
Terms of Reference**

**VERSION 1.1
20th May 2020**

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1. INTRODUCTION

- 1.1 Australian Cheer Union and its Member Associations have an obligation to protect and maintain the integrity of Cheerleading in Australia as well as the health and well-being of athletes.
- 1.2 Australian Cheer Union and its Member Associations are committed to the highest standards of conduct and ethical behaviour in all of their activities, and to promoting and supporting a culture of honest and ethical behaviour, as well as best practice corporate governance.
- 1.3 Integrity encompasses all of the elements needed to preserve what is intrinsically of value about cheerleading and to uphold the principles of safety, fairness, and inclusion in cheerleading. Furthermore, the organisation must ensure that it complies with both internal and external rules, regulatory requirements, and laws in an ethical and responsible manner to ensure the efficient and effective governance of the sport.

2. PURPOSE, ROLE AND RESPONSIBILITY

- 2.1 The objective and purpose of the Ethics and Integrity Committee (the Committee) is to assist the Board in fulfilling its responsibilities relating to the issues of ethics and integrity within the sport and the organisation.
- 2.2 Specifically, the role of the Committee includes assisting the Board in relation to the organisation's integrity and compliance requirements relating to:
- a) Policy, education, and reporting requirements in relation to anti-doping, anti-match fixing, anti-illicit drugs, and protective measures for the probity of the organisation and the athletes.
 - b) Oversight of the organisation's Member Protection Policy and related matters raised in accordance with the policy.
 - c) The establishment, maintenance and review of the organisation's ethics and integrity framework and rules.
 - d) Deal with matters of ethics and integrity referred to it by the CEO (or delegated Officer) or Board and provide recommendation(s) for appropriate response(s) when required
 - e) Disciplinary matters involving ACU members and/or breaches of policies or codes of conduct
 - f) The development and periodical review of guidelines for penalties imposed upon members of the ACU for a range of acts of misconduct or misjudgement.
 - g) Other related matters affecting the integrity of the organisation and sport such as, but not limited to:
 - i) The review of the organisation's privacy policies and practices.
 - ii) The probity of stakeholders associated with the organisation; and
 - iii) The ethical behaviours and culture of the organisation.
- 2.3 The existence of the Committee does not imply the fragmentation or diminution of the role of the Board in ensuring the proper governance of the organisation's integrity and compliance requirements

3. AUTHORITY

- 3.1 Pursuant to the organisation's constitution, the Board authorises the Committee, within the scope of their duties and responsibilities set out in these Terms of Reference, to:
- (a) Perform the activities required to address its responsibilities and make recommendations to the Board.
 - (b) Proactively consider and make recommendations to the Board on policy, education, and reporting requirements in relation to:
 - i) Anti-Doping Policy.
 - ii) Match Fixing.
 - iii) Sports science and sports medicine governance.
 - iv) Illicit drugs.
 - v) Member Protection issues requiring the Board's attention.
 - vi) Privacy practices; and
 - vii) Probity issues facing the organisation.

- (c) Establish, maintain oversight, and make recommendations to the Board on the organisation's ethics and integrity framework.
- (d) Maintain oversight and make recommendations to the Board on compliance with legal, regulatory requirements and compliance policies.
- (e) Report to and advise the Board on matters of conduct that may bring cheerleading into disrepute.
- (f) Oversee the relationships with agencies and regulatory bodies in relation to integrity and ethical decision making.
- (g) Maintain oversight of integrity related intelligence gathering processes and the enforcement of sanctions imposed on a person under the frameworks, policies, and rules of the organisation.; and
- (h) Maintain oversight of the organisation's compliance with the Sports Australia integrity policy and programs and other relevant governance principles.

- 3.2 The Committee shall have unrestricted access to management, employees, and information it considers relevant to its responsibilities under these Terms of Reference. Such access will normally be through the CEO or their delegated officer.

4. MEMBERSHIP

- 4.1 In accordance with the organisation's constitution and by-laws the Committee derives its authority from the Board and the Board shall appoint and remove the members of the Committee.
- 4.2 The Committee will consist of: (a) at least one, and usually no more than two, Directors of the Board; (b) other appointees invited to attend based on a specific scope or skill set as required. (i.e a person skilled in mediation or dispute resolution, a person knowledgeable in World Anti-Doping Agency/Australian Sports Anti-doping Authority Code(s) and National Anti-Doping Scheme compliance)
- 4.3 The Board shall propose and appoint the Chair of the Committee. The Chair of the Board cannot also be the Chair of the Committee.
- 4.4 The Board shall propose and appoint a Secretary for the Committee.
- 4.5 The secretary will assist the Chair in developing and distributing agendas, papers, minutes, and the calendar.
- 4.6 Membership of the Committee will be reviewed annually, with members eligible for reappointment. Membership of the Committee is to be confirmed annually by the Board in alignment with the annual general meeting.
- 4.7 The CEO may attend Committee meetings by invitation but has no voting rights.
- 4.8 Where necessary, all executive and management personnel will be invited to leave the meeting to allow the Committee to meet in closed session.

5. INDUCTION AND EDUCATION

- 5.1 The Board is responsible for providing new Committee members with an appropriate induction program and ongoing educational opportunities.

- 5.2 All Committee members should have completed the ASADA level one and level two anti-doping e-learning programs and the National Integrity of Sport Unit's "Keep sport honest" e-learning program.

6. MEETINGS

- 6.1 Unless otherwise instructed to meet on an ad-hoc basis by the Board, the Committee will meet at least twice per calendar year.
- 6.2 All Committee members are required to attend each meeting in person or through other approved means such as teleconferencing or video conferencing.
- 6.3 The notice and agenda of a meeting will include relevant supporting papers.
- 6.4 The Chair of the Committee may invite other people to attend a meeting as they see fit, based on a specific scope or skill set required for the meeting.
- 6.5 Further, the Committee may seek any information it considers necessary to fulfil its responsibilities.

7. QUORUM

- 7.1 A quorum will be more than half the members but must always include at least one member of the Board appointed under clause 4.2(a) above.
- 7.2 In the absence of the Chair, the members present will select a Chair for that particular meeting.

8. VOTING

- 8.1 Any matters requiring decision will be decided by a majority vote of members present.
- 8.2 Where an equal number of votes are cast in favour of and against the matter, the matter will not be carried.

9. CONFLICTS OF INTEREST

- 9.1 Committee members will be invited to disclose conflicts of interest at the commencement of each meeting.
- 9.2 Ongoing conflicts of interest need not be disclosed at each meeting once acknowledged.
- 9.3 Where members or invitees are deemed to have a real or perceived conflict of interest, they will be excused from the Committee discussions on the issue where the conflict exists and excluded from any vote.

10. MINUTES

- 10.1 Minutes of the meeting shall be prepared by the Secretary, approved by the Chair, and circulated to the members within two weeks after the meeting to which they relate.
- 10.2 The minutes must be ratified at the next meeting of the Committee and signed by the Chair of that next meeting.

11. REPORTING TO THE BOARD

11.1. Unless required sooner, the Chair of the Committee will report to the Board at the next meeting of the Board after each meeting of the Committee.

12. REVIEWS

12.1 These Terms of Reference and composition of the Committee will be reviewed and ratified by the ACU Board every two years.

13. RESOURCES

<https://www.sportaus.gov.au/integrity-in-sport/sport-australias-integrity-policies-and-programs>

<https://www.asada.gov.au/anti-doping-programmes/education>

<https://elearning.sport.gov.au/> - Keep Australian Sports honest e-learning portal