



**Sport Integrity  
Commission**  
Te Kahu Raunui

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# Code of Integrity for Sport and Recreation

Summary of public consultation



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# Summary

## The Code of Integrity for Sport and Recreation (the Integrity Code)

Over recent years, we have seen many reports of poor behaviour in sport and recreation in Aotearoa New Zealand and overseas. This has included bullying and abuse of athletes, child abuse, match-fixing, racism, use of prohibited substances and various forms of discrimination.

These behaviours have been found across nearly every sporting code and activity. They can happen because of an imbalance of power, a lack of transparency or an attitude of “winning at all costs” – even when the cost is the safety and wellbeing of participants.

In 2022, the Government agreed to establish a new integrity organisation to address these behaviours and their causes. This led to the Integrity Sport and Recreation Act 2023 (the Act) – primary legislation that paved the way for the establishment of our organisation, the Sport Integrity Commission.

We began operating in July 2024 to lead a strengthened integrity approach for sport and recreation in Aotearoa New Zealand. To support this mahi, the Act enabled us to develop integrity codes to help the sector respond to integrity threats. The Code of Integrity for Sport and Recreation (the Integrity Code) was formally made on 3 February 2025, following the period of consultation we summarise below.

The Integrity Code responds to ongoing calls for:

- ▼ clear and consistent standards about what is and what is not acceptable behaviour
- ▼ accessible, safe, and fair processes for making complaints about unacceptable behaviour
- ▼ clarity for organisations about what good looks like, and where to focus their time and resources to improve integrity in sport and recreation

It is built around six minimum integrity standards that sit at the heart of what we are trying to achieve: safe environments in which all participants can take part and enjoy every benefit of sport and recreation.

The Integrity Code is secondary legislation designed to strengthen integrity for the sport and recreation sector. It is now open for adoption by sport and recreation organisations throughout Aotearoa.

You can read more about the Integrity Code and download a copy of the final document at [sportintegrity.nz/integrity-code](https://sportintegrity.nz/integrity-code).

## Summary of public consultation

We made the draft Integrity Code available for public feedback during a formal consultation that took place from 23 September 2024 to 15 November 2024. This document summarises the feedback and engagement received during that period. It also provides an update on the progress of the Integrity Code, including lessons learned from engaging with organisations who are working through the adoption process.

The public consultation was not the only opportunity the public and the sector had to provide feedback. We took detailed steps to make sure that the draft Integrity Code that we consulted on reflected the views of the sport and recreation sector. Before the formal public consultation opened, we:

- ▼ surveyed the public about what integrity means to them
- ▼ consulted sport and recreation organisations and participants
- ▼ held online discussion forums to get the views of participants, including rangatahi
- ▼ heard from Māori in online and kanohi ki te kanohi hui, including engaging with Te Huinga Tākaro
- ▼ heard from Pacific peoples through talanoa and fono
- ▼ engaged with high-performance athletes through the Athlete Reference Group
- ▼ sought expert input from organisations such as the Human Rights Commission, the Privacy Commission, New Zealand Police, various government agencies and many key stakeholders
- ▼ worked with Te Ope Tāmīro, which provided tikanga and te ao Māori expertise, and the Integrity Code Reference Group, which provided technical legal and drafting expertise, to the drafting team

We used the feedback from those engagements to inform the consultation draft of the Integrity Code that was released to the public. A summary of the full range of consultation that occurred between 2022-2024 is included as **Appendix 2** to this document.

# Key themes from submitters

## Most submitters supported the Integrity Code

Overall, submitters were generally positive about the intention and purpose of the Integrity Code and the requirements it sets out for organisations:

- ▼ “...it gives participants an avenue to complain/resolve disputes etc that they have never had before”
- ▼ “in most cases this just duplicates the good will and intent most clubs and members already have”
- ▼ “This Code is critical. The current gap in this space is huge and needs to be addressed to resolve...normalised behaviour that results in poor outcomes for sport and our community”
- ▼ “We believe that this Integrity Code will provide an added assurance for our members, and hold all sporting codes accountable by having the right things in place for this to happen.”

Some submitters considered that the Integrity Code didn't go far enough to protect participants or to change deeper issues. For example, one submitter stated that the minimum standards “reflect status quo and do not address broader and deeper cultural problems in sport.”

Some submitters considered that the Integrity Code was not needed, either because their organisation was already doing integrity well or because they considered that government intervention was unnecessary. For example, one individual submitter said that their club “...has all this sorted already so there's no need for any interference.”

## Some submitters wanted specific recognition of their issues

Some submitters had specific concerns that they wanted to see explicitly addressed in the Integrity Code rather than being dealt with through general rules. These included a request for certain types of discrimination to be identified separately and for integrity issues the submitter had encountered to be covered in specific provisions.

Other submitters understood that the Integrity Code had to be written in a fairly general way to be effective. However, they still wanted confirmation that the final version would cover the issues they were concerned about.

## Many submitters were focused on implementation

Most submitters were generally supportive of the draft Integrity Code. Where concerns arose, they were mainly focused on the resources and effort needed to meet the minimum standards. Submitters told us that:

- ▼ “If not fully funded then implementation will be weak.”
- ▼ “Setting Policy is not the issue, [it is having] the resources, time and money to act fairly on any policy.”
- ▼ “There is a major capability gap at governance and senior management levels of many organisations, requiring significant investment in training and development programmes for these people to address if there is any chance of shifting the dial.”

Several submitters had concerns about the impact on volunteers and whether largely volunteer-run organisations would be able to meet the minimum standards.

Many submitters supported the types of help that we proposed to provide (for example policy templates, training and guidance). They stressed the importance of resources that are short, simple, and easy to understand and action. Some submitters suggested that more funding would be needed to put the standards in place.

## Autonomy and independence of sport organisations

A few submitters emphasised that the Integrity Code should protect the autonomy of sport organisations

One submitter considered that we should, as far as possible, “preserve the autonomy of sport.” They submitted that many professional sports already manage integrity well, and that neither our organisation or the Integrity Code should take away sports’ ability to deal with their own integrity matters – including those that happen at community level.

A few other submitters shared this view, suggesting that sport governance should be left to sport organisations. This was sometimes linked to the view that the Integrity Code was a form of government overreach.

Several submitters gave feedback on the Integrity Code being voluntary (noting that this is set out in primary legislation and not in the Integrity Code itself). There was broad support for this approach as it leaves the decision with sports. A few submitters preferred a mandatory approach.

## Submissions included some anti-transgender sentiment

We received 8 submissions concerned with transgender participation in sport. All focused on limiting or stopping transgender women from participating in women’s and girls’ sport. These submitters had concerns about the safety of women and girls who compete against transgender athletes, and the fairness for women and girls if transgender athletes have a physical advantage. A few submitters were ideologically opposed to or in denial of the general concept of being transgender.

# The Integrity Code in operation

The Integrity Code was made by our Board on 3 February 2025. Since then, we have produced many resources to support adoption. These include an adoption guide to help organisations understand the requirements for adoption and policy templates and guides for the minimum standards. Organisations that use these policy templates will be considered compliant with the policy requirements of the Integrity Code.

Find our policy templates at [sportintegrity.nz/resources](https://sportintegrity.nz/resources)

All these resources were informed by consultation feedback. In particular, we aimed to address the concern that many sport and recreation organisations (especially those who rely on volunteers) would not have the resources to understand and implement the Integrity Code.

## Integrity Code adoption

As at the date of this document the following organisations have adopted the Integrity Code:

- ▼ NZ Esports Federation
- ▼ Scouts Aotearoa
- ▼ Weightlifting New Zealand

See the current list at [sportintegrity.nz/integrity-code-adoptees](https://sportintegrity.nz/integrity-code-adoptees)

We are working closely with a number of other sport and recreation organisations that we expect to adopt in the coming months and throughout the remainder of 2026.

Some of the key lessons learned from working through the adoption process so far include:

- ▼ It is necessary and important to understand the range of constitutional challenges and differences involved in binding members or organisations to the Integrity Code. Each organisation seeking to adopt must take their structure into account to make sure that the obligations in the Integrity Code reach all levels of that sport or activity.
- ▼ Organisations should support the legal formalities of adoption with a communications strategy to make sure the relevant information reaches all members – including areas that a national organisation may not have direct access to or control over.

- ▼ Organisations should make use of the policy templates and guidance we offer to help address the challenges that arise from limited internal resources
- ▼ Organisations need reassurance (supported by actions) that where possible we will seek to address integrity failings through support rather than defaulting to a punitive approach.
- ▼ Work will need to be done by both organisations and participants to align employment obligations of those working within the sector with the requirements of the Integrity Code

## Disciplinary Panel

We have set up an independent disciplinary panel to determine potential breaches of the Integrity Code and sanctions (if appropriate) by participants of all adopting organisations. Further detail about the Disciplinary Panel Te Kahi Aratika and its work can be found on their website at [sportintegritydisciplinarypanel.nz](https://sportintegritydisciplinarypanel.nz).

# Overview of submissions

In total we received 69 submissions. These were made up of submissions from:

- ▼ 11 national sport organisations
- ▼ 1 national recreation organisation
- ▼ 10 regional or local sport organisations
- ▼ 4 peak bodies
- ▼ 8 participant, advocacy or other organisations
- ▼ 35 individual submitters.

In addition to the 69 written submissions, we also received feedback from individuals and organisations through engagement during the consultation process, including:

- ▼ meeting separately with Chief Executives of the national sporting organisations for netball, tennis, yachting, volleyball, triathlon, rugby league, basketball, rugby and artistic swimming
- ▼ two group sessions with Chief Executives of Harbour Sport, Sport Auckland, and the national sporting organisations for athletics, hockey, golf, triathlon, canoe racing, volleyball, water polo, and surf lifesaving
- ▼ six webinars (including one Māori and one Pacific Peoples focused webinars)
- ▼ meeting with the Athlete Commission, a group of former and current high-performance athletes that provided us with advice and feedback
- ▼ engagement with the Privacy Commissioner (including receiving specific drafting feedback) about how best to protect the privacy rights of those engaging with the Integrity Code
- ▼ engagement with the New Zealand Police with a focus on operational matters arising under the Integrity Code that relate to their mandate
- ▼ meetings with the Disabled Peoples Organisation Coalition and Inside Out Kōaro

# Analysis of consultation questions

## Methodology

We received feedback through three sources:

- ▼ online survey (Citizen Space)
- ▼ email
- ▼ meetings with stakeholders

We read and considered all submissions. We uploaded all feedback into Citizen Space for tagging and analysis. Tagging helped to identify common ideas, issues and suggestions for each survey question.

We then analysed all submissions to identify key themes, issues, and suggested changes to improve the Integrity Code. During this process, we could refer to the full text of each submission or notes from meetings for context and extra detail where needed.

There were some limitations to the analysis:

### Inconsistent yes / no question responses

For the yes / no questions, we could only analyse responses from the online survey. Most email submissions did not answer yes / no questions.

### Format differences in email submissions

Most email submissions did not follow the structure of the discussion document or the online survey. That meant our quantitative analysis was limited for these submissions. However, the emails form the bulk of the analysis in this document.

### Feedback did not match specific questions

Some email feedback did not directly address the questions in the discussion document, or the feedback related to more than one question. This affects the quantitative analysis for some questions.

### Small sample sizes for some demographic groups

Only a small number of submissions came from some demographic groups (for example disabled people, rainbow people, young people, Māori and Pacific peoples). Because of this, demographic analysis is limited and not a focus of this summary.

## Submitters

We asked submitters for information about themselves. This included asking for information about age, gender, sexual identity, ethnicity and disability. This helps us understand who was submitting and supports us to meet our statutory consultation obligations.<sup>1</sup>

Responses to the questions in the online survey that asked for demographic information about submitters is at **Appendix 1**. These questions were optional to answer.

### Which of these best describes you?

We asked submitters to state what type of participant they were in the sport and recreation sector. Submitters who completed the online survey were required to answer this question. More than one option could be selected.

Participant type	Total (n=)	Percent
Social player or participant	16	23.19%
Competitive participant	11	15.94%
High performance athlete (professional athlete and/or represents New Zealand)	4	10.26%
Active in the outdoors	15	21.74%
Coach	15	21.74%
Manager	3	4.35%
Administrator or staff	15	21.74%
Leadership or management	22	31.88%
Board or Committee member	12	17.39%
Volunteer	15	21.74%
Parent or guardian	18	26.09%
Other (please state)	13	18.84%

Of those submitters that answered 'Other,' answers included consultants or specialists, child safeguarding expert, advocacy group and academic.

<sup>1</sup> Section 20 of the Integrity Sport and Recreation Act 2023 requires us to consult participants, national sporting organisations, national recreation organisations, Māori, other relevant stakeholders (including Pacific peoples, disabled people, children and young people, women and girls, and rainbow people), and the Privacy Commissioner on the proposed code.

## What is your organisation?

Of the 59 submitters that answered this question, 40 were involved with or submitting on behalf of sport organisations and two were involved with, or submitting on behalf of, recreation organisations. These submitters were involved with organisations at all levels of the sector including local, regional and national level.

Organisations that were not part of the sector included representative or advocacy bodies (such as Safeguarding Children and InsideOUT Kōaro) and regulators (Entain and TAB).

Organisations who submitted feedback are listed below.

Organisation type	Organisation name
<b>National sporting organisations (NSO) and national recreation organisations (NRO)</b>	Archery New Zealand Badminton New Zealand Basketball New Zealand Floorball New Zealand Golf New Zealand Gymnastics New Zealand Netball New Zealand New Zealand Football New Zealand Ju-Jitsu Federation New Zealand Outdoor Instructors Association New Zealand Rugby Swimming New Zealand
<b>Peak bodies or participants' associations</b>	Athletes Commission New Zealand Athletes Federation New Zealand Amateur Sport Association New Zealand Olympic Committee Paralympics New Zealand Recreation Aotearoa
<b>Regional or local organisations</b>	Auckland Rugby League Canterbury Basketball Association Christchurch Heroes College Sport Wellington D-sport Northland Badminton Association Northland Cricket Association Ponsonby Cruising Club Wellington Netball Centre
<b>Other organisations</b>	Child Matters Disabled Peoples Organisation (DPO) Coalition Entain Equity Matters InsideOUT Kōaro Safeguarding Children TAB

## Participants and organisations

We asked questions about whether the Integrity Code would provide adequate protection and how implementation was expected to operate.

### Question 1<sup>2</sup>

#### **Do you think the Integrity Code adequately protects participants? Why or why not?**

There were 45 responses to this question. Of those that provided a position, most supported the proposal. The responses were:

**61.5% Yes**      **38.5% No**

Many submitters were positive about the potential for the Integrity Code to protect participants. Several noted that this would be dependent on how well it was implemented by organisations. Two submitters emphasised that the Integrity Code provides clear avenues for participants to raise issues and make complaints.



**Inclusivity is paramount in all walks of life. This is the 21st century there should be zero tolerance for anything outside of that in activities involving anyone. Sadly, that's not the case but we're doing what we can.”**

Sport participant

Submitters made suggestions to strengthen the protections for participants. This included:

- ▼ having minimum standards that relate to the guiding values (in the preamble) and wellbeing
- ▼ addressing deeper cultural issues in sport
- ▼ having stronger whistleblower protections for people that complain or provide information to a sport or recreation organisation
- ▼ having explicit protections for transgender, intersex and non-binary people.

Some submitters were uncertain about who was included in the definition of participants and suggested clarifying this.<sup>3</sup> Feedback included clarifying the roles captured in the term ‘officials’ and the circumstances in which employees would be considered participants.

<sup>2</sup> Note that this numbering reflects the Discussion Document rather than the online survey used.

<sup>3</sup> See definition of ‘Participant’ at section 4 of the Integrity Sport and Recreation Act 2023.

## Question 2

### What else could the Integrity Code include or do to protect participants?

There were 33 responses to this part of the question. There were a range of suggestions including:

- ▼ addressing sideline behaviour and behaviour of other people who may not have a direct relationship with the club (ie, they're not a member that can be disciplined)
- ▼ encouraging less emphasis on winning and competitiveness
- ▼ providing avenues for dealing with historic complaints
- ▼ strong protections for whistleblowers.

## Question 3

### What more could we do to ensure the rights and interests of Māori are considered in implementing the Integrity Code?

There were 31 responses to this question. There were a range of suggestions including a reference to Treaty of Waitangi / Tiriti o Waitangi principles, engagement with Māori and a requirement for cultural competency training in the sector. A small number of submitters were not supportive of protecting the rights and interests of Māori.

## Question 4

### What support and resources will organisations need to implement the Integrity Code?

There were 33 responses to this part of the question. There were a range of suggestions and views on what organisations might need. Many submitters considered that significant support would be needed.

The most common suggestions were:

- ▼ guidance
- ▼ policies
- ▼ governance capability
- ▼ education and training
- ▼ funding.



**There is a major capability gap at governance and senior management levels of many organisations, requiring significant investment in training and development programmes for these people to address if there is any chance of shifting the dial.**

Sport participant

### What changed

We used this feedback to create and refine the policies, guidance and training modules we created to support adoption and implementation of the Integrity Code.

We considered that the definition of participant was broad enough and would capture those in need of the Integrity Code's protection.

## Minimum standard 1

### Prohibit behaviours that are a threat to integrity

#### What we heard about minimum standard 1

We asked submitters for feedback on minimum standard 1. This standard requires organisations to:

- ▼ prohibit participants from engaging or attempting to engage in behaviours that are a threat to integrity (for example abuse or competition manipulation)
- ▼ have and apply policies that prohibit the behaviour at the organisation and in the sport or recreation activity.

Overall, most submitters were supportive of minimum standard 1 and the prohibited behaviours in the consultation draft. Many submitters recommended improvements or additions to the prohibited behaviours.

#### Question 5

##### Do you agree with minimum standard 1? Why or why not?

There were 53 responses to this part of the question. Of those that provided a position, most were supportive of minimum standard 1. The responses were:

**79.25% Yes**      **20.75% No**

#### Question 6

##### Is it sufficiently clear what a prohibited behaviour is?

There were 38 responses to this part of the question. Of those that provided a position, most considered that it was sufficiently clear what a prohibited behaviour was. The responses were:

**69.8% Yes**      **30.2% No**

## Question 7

### Are the Schedule 1 definitions helpful?

There were 56 responses to this part of the question. Of those that provided a position, most considered that the definition were helpful. The responses were:

**87.76% Yes**      **12.24% No**

We heard several recommendations for how we could improve the definitions or for other types of behaviour to be prohibited (for example, alcohol and drug use or intentional misrepresentation of classification of para-athletes).

Some submitters were concerned that the definitions were “loose” or too broad and would capture a wide range of behaviour that was trivial or acceptable in a sport or recreation context. For example, a few submitters were concerned that including bullying could lead to trivial complaints or would capture a coach yelling at a participant.

Several submitters raised concerns about social media abuse and online bullying and recommended that that prohibited behaviour that occurs online is explicitly included.

#### What changed

In response to this feedback, we amended the Integrity Code to clarify that online activity (for example the grooming of a child on social media) falls within the prohibited behaviour definition.

We considered that it was appropriate to keep the definitions broad so they could cover harmful behaviour in general. At this stage, this did not include requirements for adopting organisations to have specific obligations when it came to drug and alcohol use (as examples). Focusing on these areas would place extra pressure on organisations that many are unable to meet.

## Sexual misconduct

We received feedback on the definition of sexual misconduct and similar behaviours. This feedback included:

- ▼ 'sexual misconduct' should be replaced with 'sexually harmful behaviour', accompanied by an appropriate definition, to accurately reflect the nature and severity of the behaviour
- ▼ sexual violence should be included in the definition of violence
- ▼ sexual harassment should be more clearly included in the prohibited behaviour definitions
- ▼ child sexual abuse should be explicitly included in the definition of prohibited behaviour
- ▼ that the prohibited behaviours should include coercion and control and, in future, be updated to reflect relevant legislative changes (for example, new legislation planned to criminalise stalking).

Additionally, one submission encouraged us to take trauma-informed approaches, particularly for matters of sexual harm and child abuse.

### What changed

In response to this feedback, we:

- ▼ replaced 'sexual misconduct' with 'sexually harmful behaviour' and introduced an overarching definition of sexually harmful behaviour defined as 'any verbal, visual or physical sexual contact or activity that is not freely consented to'
- ▼ expanded the definition of harassment at Schedule 1, clause 2, (2) (c) to include sexual harassment and stalking type behaviour
- ▼ made it a requirement that organisations consider the complainant's preferences about how a complaint or disclosure is handled when deciding how to apply their dispute resolution process.

## Competition manipulation

One submitter suggested amendments to the definition of competition manipulation (Sch 2, cl 5). They suggested we capture instances of officials misusing inside information in a sport unconnected to their position. They also suggested we clarify that while certain actions may be allowed under sport rules, they must still align with the Integrity Code's broader standards, particularly when they intersect with betting-related concerns.

### What changed

In response to this feedback, we did not make any changes. The definition in the Integrity Code replicates the definition of 'inside information' used in both the Council of Europe Convention on the Manipulation of Sports Competitions (the Macolin Convention) and the Olympic Movement Code on the Prevention of the Manipulation of Competitions. We considered that any changes might lead to inconsistencies or confusion.

## Child abuse and neglect

Two submitters recommended changes to the definition of prohibited behaviours to more explicitly include children. These recommendations were:

- ▼ to include child abuse and child sexual abuse as prohibited behaviours instead of being grouped with 'abuse'
- ▼ include child neglect as a prohibited behaviour.

These submitters considered that this would be a more child-centric approach. They were concerned that abuse involving children can be overlooked when and young people's abuse or experiences are grouped in with adults.

### What changed

In response to this feedback, we amended the Integrity Code to include child abuse, child sexual abuse, and child neglect as prohibited behaviours under minimum standard 1.

## Minimum standard 2<sup>4</sup>

### Implement an effective and fair dispute resolution process in relation to threats to integrity

Most submitters agreed with the minimum standard 2 requirements. Feedback included that the requirements provided a consistent approach and that it was good to have clarity about process requirements.

However, many submitters were concerned that organisations would find it hard to implement these requirements. Concerns included resourcing at club level, lack of skills / capability among volunteers and the ability for decision makers to remain impartial.

There was some concern about the bureaucracy these requirements (for example government overreach). These submitters thought that issues should be dealt with using “common sense”. They believed that applying processes like those suggested could encourage more complaints or trivial complaints.

Some submitters suggested improvements to the minimum standard 2 requirements. These included:

- ▼ making sure processes are appropriate for children and young people rather than being “all adult focused”
- ▼ making processes flexible to individual needs or culturally responsive
- ▼ explaining or defining natural justice
- ▼ including reporting requirements, for example on the number / type of complaints and outcomes. Information shouldn’t just be recorded.
- ▼ including more detailed privacy obligations to protect the privacy of complainants
- ▼ including different processes to respond to disclosures (for example making it clear that information can be shared without expectations or pressure to investigate or progress a matter).

#### Question 8

#### Do you agree with minimum standard 2?

There were 48 responses to this part of the question. Most were supportive of minimum standard 2. The responses were:

**83.33 % Yes**      **16.67 % No**

<sup>4</sup> The numbering of the minimum standards changed from the consultation document to the final version of the Integrity Code. Specifically, minimum standard 2 swapped with minimum standard 3 as it was felt that it made more sense for the requirements in relation to safeguarding to directly follow the prohibited behaviours requirements in minimum standard 1.

## Question 9

### **Are there other requirements that should be included in minimum standard 2?**

There were 44 responses to this part of the question. Of these, 47% suggested that there should be other requirements. These suggestions included:

- ▼ making sure complaints processes are easy to find and use
- ▼ detailed procedures for investigations including timeframes, support for complainants and confidentiality
- ▼ stronger privacy and confidentiality protections.

## Question 10

### **Do you think minimum standard 2 will help integrity complaints to be dealt with fairly, effectively and quickly?**

There were 43 responses to this part of the question. Around two-thirds of respondents (67%) considered that the requirements will help integrity complaints to be dealt with fairly, effectively and quickly. Of those that answered No (33%), their concerns included:

- ▼ that there would still be capability and capacity issues in the organisation
- ▼ processes could be overly bureaucratic or administrative
- ▼ processes may be open to manipulation or abuse by complainants (for example, vexatious).

## Question 11

### **What support do you think organisations will need to implement policies and handle complaints?**

There were 42 responses to this part of the question. The most common response was for more guidance and support for organisations to implement the minimum standard. Examples included best practice guides, policy and procedure templates, and access to advice and support if needed.

Other suggestions included complaints handling education or training for clubs and, the requirement to have a complaints officer, funding and access to specialist advice such as cultural expertise or legal advice.

#### **What changed**

In response to the feedback, we:

- ▼ added a requirement for organisations to have a policy that takes into consideration the needs of children and young people who are involved in a complaint or disclosure.
- ▼ added a non-exhaustive definition of natural justice.
- ▼ worked with the Privacy Commissioner to make sure that sufficient privacy protections were in place during any dispute resolution process conducted under the Integrity Code.
- ▼ used the feedback to inform the development of a model dispute resolution policy and guidance for organisations to use and adapt.

## Minimum standard 3<sup>5</sup>

### Safeguarding children, young people, and vulnerable adults

Most submitters supported the intention of minimum standard 3, however, there were differing views on what should be required. Broadly there were two main views:

- ▼ everything possible should be done to protect children, young people and vulnerable adults, or
- ▼ that it is important, but the requirements are onerous – particularly for small clubs and organisations.

Several submitters questioned whether it was necessary to treat children, young people and vulnerable adults separately to all other participants. These submitters generally considered that all participants should be safeguarded and that, as currently drafted, minimum standard 3 would leave non-vulnerable adults unprotected.

Other submitters agreed that because these groups were more at risk of harm than other groups, it was appropriate to highlight them in the Integrity Code.

#### Definition of vulnerable adults

Submitters gave feedback on the use and definition of the term ‘vulnerable adults’. During engagement on the Integrity Code, submitters and other stakeholders generally supported the intended purpose (to safeguard adults who may be at greater risk of harm, abuse or neglect). However, many expressed uncertainty about the use of the term ‘vulnerable adults’ as it could be considered patronising and outdated.

Feedback from the disabled community was that disabled people do not want to be seen as inherently vulnerable, and the preferred term in the disability sector is ‘adults at risk’. Other feedback included that:

- ▼ the current definition could be perceived as diminishing the mana of disabled adults
- ▼ the definition, which is drawn from the Crimes Act 1961, may have limited usefulness outside of the Crimes Act
- ▼ the definition creates a risk if organisations cannot confidently identify a vulnerable person that meets the definition and attracts the proactive safeguarding measures.

#### What changed

In response to the feedback, we replaced the term ‘vulnerable adult’ with ‘adult at risk’ defined as ‘any adult who needs care and support, is experiencing or is at risk of abuse or neglect, and is unable to remove or protect themselves from that risk because of those needs.’ This definition is also consistent with the approach taken in other jurisdictions such as the United Kingdom.

<sup>5</sup> This became Minimum Standard 2 in the final version of the Integrity Code.

## Definition of specified persons

We sought feedback on the definition of specified persons.

### Question 12

#### Do you think that the definition of specified persons is fit for purpose?

There were 51 responses to this part of the question. Of those that provided a position, most supported the definition. The responses were:

**85% Yes**                      **15% No**

Some submitters recommended that a specified person should be people in regular contact with children, young people and vulnerable adults regardless of whether a parent, guardian or other adult is present.

One submitter identified a loophole issue with the definition of specified persons. The exposure draft defines specified persons as ‘adults.’ These submitters noted that many activities use teenage coaches and instructors – the current definition would not capture teenagers under the age of 18 years old that are coaching or in regular contact with children, young people and vulnerable adults.

### What changed

In response to the feedback, we amended the definition of specified person to remove ‘adult.’ This means that young people who meet the definition of a specified person need to meet the vetting and training requirements.

## Training requirements for specified persons

### Question 13

#### Do you think the training requirements for specified persons are suitable?

There were 48 responses to this part of the question. Of those that provided a position, most agreed with the proposed training requirements. The responses were:

**74% Yes**                      **26% No**

### Question 14

#### What support should we provide to help organisations meet the training requirements for specified persons?

There were 42 responses to this question.

Most submitters supported the training requirements, but many had concerns about implementing them. Concerns included the resources needed and the length of time it would take, particularly for small organisations.

Many submitters emphasised that the training needed to be easy to deliver and engaging.

A few submitters thought that we should prescribe more detailed training requirements.

Some submitters were concerned about the need for annual training. A few suggested that training and vetting should be aligned (in other words, have both occur every 3 years).

In relation to the support that we could provide, the most common suggestions were:

- ▼ education and training resources (for example, online learning, workshops and online resources)
- ▼ support with implementation of the training requirement
- ▼ information about best practice and evidence base for safeguarding
- ▼ funding to support implementation.

### What changed

In response to the feedback, we did not make any changes. A more regular approach means that safeguarding knowledge can be kept up to date and fresh. The Integrity Code allows for an initial comprehensive training and then for annual refresher training – this may be manageable for organisations to deliver.

## Safety check requirements for specified persons

### Question 15

#### Do you agree with the requirement for safety checks for specified persons?

There were 53 responses to this question. Of those that provided a position, most submitters agreed with the safety check requirements. The responses were:

**82.5% Yes**      **17.5% No**

Most submitters supported the safety check requirements, but many had significant concerns about resourcing, implementation and the impact on volunteers. Feedback included that:

- ▼ this would be problematic for large, one-off events or events in rural areas
- ▼ it was already very hard to get volunteers so this should be reserved for those with the greatest interaction with children
- ▼ the onus on checking every three years is a barrier due to the costs associated, the size of the task and having a volunteer committee.

Some submitters expressed concern about Police vetting including the cost and how to deal with the results. A few submitters suggested that overreliance on vetting itself can be dangerous if there are no convictions. A few submitters suggested that we should prescribe the circumstances that would lead to a person being disqualified from working with children, young people, and vulnerable adults.

One submitter was concerned that cl 11(3)(b) creates a loophole where safety checks don't get completed. This clause provides that the safety check doesn't need to be completed prior to the person starting their role if it would be impracticable.

One submitter recommended additional requirements: both a Police and Ministry of Justice vet, two reference checks and a risk assessment of the person's suitability. Several submitters recommended that we provide a centralised vetting function. A centralised system for vetting would help to minimise "code-hopping" and reduce the duplication of effort for people who are involved in multiple activities.

### What changed

In response to the feedback, we did not make any changes. We consider that the current settings are an appropriate compromise between the need to safeguard children, young people and vulnerable adults while recognising the practical limitations and resourcing challenges for clubs and organisations.

## Safe practices

### Question 16

#### Does the requirement to specify safe practices cover the situations you expect? Is there anything missing?

There were 42 responses to this part of the question. The response were evenly split between submitters that considered the safe practices were appropriate and those that considered that additional safe practices were needed.

Submitters suggested more safe practices, including:

- ▼ use of social media and artificial intelligence, particularly in relation to grooming
- ▼ managing unsafe parents and guardians of children
- ▼ behaviour management

## Child safeguarding officer

### Question 17

#### Should minimum standard 3 require organisations to have a safeguarding officer?

There were 46 responses to this question. Of those that provided a position, most supported introducing a requirement for organisations to have a safeguarding officer. The responses were:

**70.5% Yes**      **29.5% No**

Most of those in support thought that it was important to have a single point of contact for safeguarding and to make sure someone had oversight of implementation.

The primary concern raised was how this would be resourced, particularly by small clubs and organisations. A few submitters considered that safeguarding was everyone's responsibility and should not be assigned to a single person.

Several suggested that, if needed, the role could be combined with other duties (for example, an integrity officer or complaints officer). A few submitters suggested that this should only be a recommendation or only be required for large organisations.

### What changed

In response to the feedback, we added a requirement for all organisations bound by the Integrity Code to assign a person (for example, a safeguarding lead) at a national or regional level as responsible for implementing the safeguarding requirements.

## Child protection policy

### Question 18

#### Should minimum standard 3 require organisations to have a child protection policy?

There were 50 responses to this question. Of those that provided a position, most supported introducing a requirement to have a child protection policy. The responses were:

**87% Yes**

**13% No**

Most submitters that gave feedback on this question were supportive. Many considered this a basic minimum requirement that aligned with existing legal obligations. One submitter suggested that this should apply to children, young people and vulnerable adults. Several submitters were concerned about the administrative burden on small organisations. One submitter suggested that this should only be a recommendation.

#### What changed

In response to the feedback, we added a requirement for all organisations bound by the Integrity Code to have a child protection policy.

## Minimum standard 4

### Mandatory notification of issues of serious concern

We sought feedback on the requirement for organisations to notify us of issues of serious concern.

#### Question 19

#### Do you agree with minimum standard 4?

There were 49 responses to this question. Of those that provided a position, most agreed with minimum standard 4. The responses were:

**78% Yes**                      **22% No**

Most that answered questions about minimum standard 4 supported the requirement. Reasons included the need for an independent, overarching body to be notified and have oversight of serious integrity issues. Several submitters had concerns about the administrative burden, particularly on volunteers.

Other feedback included that:

- ▼ minor or one-off issues could be escalated unnecessarily
- ▼ this could be used vexatiously or to abuse the process
- ▼ this approach implies other issues not listed in minimum standard 4 aren't serious
- ▼ these issues should just be reported to Police, and
- ▼ the process needs to be easy and straightforward, and that we need to take meaningful action as a result.

We received several suggestions for changes or improvements. This includes:

- ▼ making it clearer that the organisation must notify us, unless prohibited by law.
- ▼ require periodic reporting of other integrity issues that do not fall in the definition of 'issue of serious concern'
- ▼ require reporting of any breach of the Integrity Code by an organisation (and not just breaches relating to minimum standard 3).

## Question 20

### **Are there other behaviours that you think should be included in the definition of issue of serious concern?**

There were 37 responses to this question. Most submitters were comfortable with the definition of serious issues. Several submitters suggested changes to the requirements, including:

- ▼ safeguarding breaches in relation to all adults (not just vulnerable adults)
- ▼ require reporting only of sub-criminal behaviour as alleged criminal behaviour should be reported to Police
- ▼ all abuse and violence, any behaviour that causes harm, or any event that causes serious injury or death
- ▼ grooming.

## Question 21

### **What role(s) do you think we should have in relation to issues of serious concern that we are notified of?**

There were 40 responses to this question. They contained a range of views about what our role should be. The most common suggestions were that we should either resolve or investigate the matter ourselves, or should support the organisation (“handholding”) and enable them to handle the matter. Other suggestions were for us to have no role or a limited role, or to provide support for complainants and victims.

### **What changed**

In response to the feedback, we included mandatory notification of competition manipulation incidents. We considered that this should be added to give us visibility of the issue, allowing us to build a better picture of the size and nature of the competition manipulation risk in New Zealand sport.

Following engagement with New Zealand Police, we also added a clarification that notifying us does not replace the obligation to report behaviour of a criminal nature to the Police.

## Minimum standard 5

### Cooperation with the Commission

Generally, submitters supported this standard. Reasons included accountability and enforceability of the standards, cooperation as important to maintaining the Integrity Code, and cooperation as a “backstop.”

Those that didn’t support the standard were concerned about cooperation being forced on sports and government overreach (“draconian”, “control”). Several submitters raised concerns about small organisations being able to meet this standard, the resources required and the impact on volunteers.

#### Question 22

##### Do you agree with minimum standard 5?

There were 46 responses to this part of the question. Of those that provided a position, most supported the requirement to cooperate with us. The responses were:

**82% Yes**                      **18% No**

#### Question 23

##### What do you think might prevent organisations from cooperating with us?

There were 39 responses to this part of the question. The most common answers were fear of scrutiny, poor internal processes, lack of resources and internal capability.

#### What changed

In response to the feedback, we did not make any changes. We consider that the cooperation settings in the current draft are appropriate and consistent with an Integrity Code that is voluntary in nature.

We confirmed that when we start an investigation, the first step will usually be to work cooperatively with the organisation involved, unless that would be inappropriate.

## Minimum standard 6

### Providing information about the Integrity Code

#### Question 24

#### Do you agree with minimum standard 6?

There were 45 responses to this part of the question. Of those that provided a position, most supported the requirements in minimum standard 6. The responses were:

**88.5% Yes**      **11.5% No**

Most submitters that answered this question supported the standard, for example:

- ▼ “This is a low compliance requirement and not unreasonable”
- ▼ “Always favour transparency and making information freely available is only fair and reasonable.”

Like other requirements, there was some concern about the administrative burden on clubs and volunteers to comply with this standard.

#### Question 25

#### What support or resources would be required from us to help an organisation properly inform its members about the Integrity Code?

There were 39 responses to this part of the question.

Many submitters suggested the type and form of support that would help organisations to meet this standard. For example:

- ▼ “Keep it short and straightforward to follow”
- ▼ “specific practical examples of what is covered by the various integrity threats, but also framed in the positive, eg, what we love to see, what we like to see, what we don't want to see.”

#### What changed

In response to the feedback, we did not make any changes as the minimum standard is not prescriptive about how and when organisations communicate with their members provided they meet the requirements.

We did use the feedback to develop resources that will support organisations when they communicate with their members.

# Adopting the Integrity Code

## Adoption process

### Question 29

#### Do you agree with the proposed adoption process?

There were 42 responses to this part of the question. Most supported the proposed approach. The responses were:

**81% Yes**

**19% No**

### Question 30

#### What are the advantages or disadvantages with this adoption process? What challenges do you see with this approach?

There were 26 responses to this question. Many submitters that responded to questions about adoption broadly supported the proposed approach (specifically the cascade through national organisations down to regional and local level). The reasons for this included that it was clear and simple, proposed a consistent national approach and provided accountability mechanisms.

However, many submitters raised concerns about the timing or other practical issues with implementation:

- ▼ “Yes this is the most practical approach but the timing might not be sufficient.”
- ▼ “Yes, provided the support is given eg. model policy. It might be better to allow more time for some organisations to complete the steps needed for adopting the code.”
- ▼ “There’s not really any other way but interested to know how other sports are looking to do it.”
- ▼ “Proposed timing needs to be tested in a practical sense...to assess if it is realistic for all organisations seeking to adopt the Code.”

Submitters identified some disadvantages with the proposed approach including:

- ▼ high workload for the national organisation
- ▼ readiness and willingness of organisations to adopt and implement
- ▼ that it is unnecessarily complex and should be made easier to adopt.

Several submitters provided feedback on the need for constitutional change. This included those who were concerned about the relationship between Integrity Code adoption and re-registration under the Incorporated Societies Act. It was noted that some organisations have already, or will very shortly, update their constitutions to align with the Incorporated Societies Act so may be reluctant to re-open their constitutions for amendment.

Many noted the cost and complexity of making changes to constitutions for an organisation and then working this through their member organisations. One organisation explained that it would be reasonably straightforward for itself, but given the size and structure of their sport and the large number of participants “onboarding the whole ... system will take longer and more time and effort.”

One submitter explained that “as a fairly decentralised NSO” it would struggle to make sure all members were compliant, delaying adoption. It also noted that it would not want compliance with the Integrity Code to be a barrier for new member clubs. It suggested a 12-month grace period for new member clubs, giving them time to comply with requirements before being formally bound.

Two submitters suggested that adoption could be achieved without constitutional change. One submitter suggested a more fundamental change to allow for flexibility in the method and mechanism for adoption. Its primary concern was that:



**Fundamentally, the Code’s current method of adoption places the power to adopt in the organisation’s members (where they are an incorporated society) rather than the organisation itself which, in a federated model for sport, has the ultimate responsibility for the growth, development and good governance of the sport, including in matters of integrity.”**

It recommended that we adopt an approach similar to Sport Integrity Australia, which does not require constitutional adoption.

### **What changed**

In response to the feedback, we did not make any changes. We considered that requiring either constitutional change or a formal resolution (if permitted) was the best way to make sure organisations buy-in to the adoption process.

We did use the feedback to develop adoption resources.

### Question 31

#### **What role, if any, do you think participants should have in the adoption process?**

There were 31 responses to this part of the question. Most respondents to this question considered that participants should be involved in some way, whether that be through consultation on an organisation's decision to adopt the Integrity Code, voting on adoption (for example at an AGM), or having their needs and perspectives considered and taken into account.

### Question 32

#### **What support do you think we should provide for organisations going through the adoption process?**

There were 28 responses to this question. The most common type of support suggested was for guidance and advice about the adoption process. Other suggestions included:

- ▼ supporting communications to participants and members,
- ▼ funding
- ▼ policy templates.

### **Dispensation**

We asked for feedback on the criteria for dispensations.

### Question 33

#### **Do you agree with the dispensation criteria?**

There were 32 responses to this part of the question. Of those that provided a position, most agreed with the dispensation criteria. The responses were:

**73.5% Yes**

**26.5% No**

## Question 34

### Are there other criteria that should be included?

There were 20 responses to this question. Most considered that there were no additional criteria.

Submitters who supported the proposed dispensations considered that they provided flexibility and allowed for the requirements of a diverse sector.

Submitters who did not support dispensations considered that they may undermine the objectives of the Integrity Code. One submitter stated that “you can’t opt out of integrity.” Other submitters suggested that the approach must be consistent for all.

There were a few suggestions for additional criteria (for example organisational capacity, participant needs, international federation requirements).

#### **What changed**

In response to the feedback, we did not make any changes to the dispensation criteria.

# Complaints and investigations

## The Commission's role with respect to complaints and investigations

We sought feedback on whether our role in complaints and investigations was clear, and what additional information we could provide to make it clearer. We received a range of feedback on these questions and more generally on Part 3 of the Integrity Code.

### Question 35

#### Is our role in handling integrity complaints clear?

There were 40 responses to this part of the question. Of those that responded to the question, most considered that our role was clear. However, some submitters suggested that further clarity was needed.

### Question 36

#### Is there any additional information we could provide to make the process clearer?

There were 28 responses to this part of the question. Of those that considered more information was needed, the main suggestions were for clarity on how and when organisations will be told about complaints or investigations that involve them or their participants.

The matters raised by submitters were generally queries or uncertainty about how we will handle complaints and investigations day-to-day. Many submitters were looking for more detailed or prescriptive detail in the Integrity Code. This included:

- ▼ threshold for us to accept a complaint compared to when we will refer a complaint back to the club or organisation
- ▼ the process for anonymous complaints and whether natural justice requirements can be met
- ▼ the interaction between employment matters (for example, personal grievances) and complaints or investigations under the Integrity Code, and
- ▼ how we will treat complaints that have already been resolved / handled by a club or organisation (for example, if a complainant has exhausted their avenues through their national organisation's processes and raises the matter with us).

## Informing organisations about complaints

Several organisations were concerned about if and when we would notify them if we received a complaint involving or relevant to them. For example, a complaint about the organisation or a complaint involving its members or participants.

Several organisations that submitted were concerned that we would not be required to engage with organisations when we receive a complaint, decide what action to take or to determine the scope and nature of an investigation. These concerns included that:

- ▼ there is a risk the organisation will not know that a complaint had been made
- ▼ the organisation would not be able to take interim safeguarding measures or be able to provide information that may be relevant to the decision of whether to investigate or not

Several submitters wanted a guarantee that we will work collaboratively with organisations on complaints, and that:

- ▼ we should be required to consult with the relevant organisation on what action we take in relation to a complaint or to obtain its consent or statement of no objection, and
- ▼ it should be mandatory for us to consult the relevant organisation on the decision to initiate an investigation.

### What changed

In response to the feedback, we added a presumption of cooperation starting point. That position will be reflected by amended clauses 27 and 29, which make it clear that we will address complaints and disclosures, and conduct investigations, through the informed consent and cooperation of all affected parties and organisations – unless it is considered inappropriate or not reasonably practicable.

## Natural justice and the right to be heard

There was concern from some organisations about what natural justice meant and, in particular, that they would have the right to be heard if we made a decision that impacted them.

### What we changed

Noting that we are required to observe the principles of natural justice irrespective of their inclusion in the Integrity Code, we amended the Integrity Code to:

- ▼ add a non-exhaustive definition of natural justice that emphasises the right to be heard and unbiased decision-making (cl 24), and
- ▼ require us to observe natural justice when taking an action following an investigation (cl 32(1)).

This makes it clearer that anyone - including organisations - will have the chance to be heard if their rights, obligations or interests could be impacted by the way we exercise our functions and powers. For example, if we make negative findings and recommendations against a national sporting organisation, we must make sure that, before we finalise the investigation and publish the investigation report, the organisation has (among other things):

- ▼ full information about the decision
- ▼ a chance to be heard on the matter before the decision is made
- ▼ prior notice of proposed findings or the risk or likelihood of adverse findings, and
- ▼ reasons for, or an explanation of, the decision.

We will also make sure that we provide (and continue to develop) process guidance on our website to support organisations facing remedial action or individuals facing sanctions.

## Sanctions and remedies

We sought feedback on the sanctions and remedies that could be imposed on participants and organisations for breaches of the Integrity Code. Other than the ability to recommend that organisations pay compensation, most submitters were comfortable with the proposed sanctions and remedies.

### Remedial action for organisations

#### Question 37

#### What do you think about the principles for applying remedies and sanctions?

There were 30 responses to this question. Of these responses, most considered that the proposed sanctions were acceptable, reasonable or fair. Several submitters suggested that there should be guidance about how to apply sanctions in certain circumstances.

#### Question 38

#### Are there other principles that should be considered?

There were 27 responses to this part of the question. Of those respondents, most did not consider that any other principles should be considered. Where there were suggestions, they included the practicality of the sanction given the capabilities or means of the organisation or the participant, and encouraging flexibility.

#### Question 39

#### Do you think that the remedial actions available are appropriate?

There were 32 responses to this question. Of those that provided a position, most considered that the remedial actions were appropriate. The responses were:

**83.5% Yes**      **16.5% No**

Of those that were not supportive, the primary concern was around enforceability of the remedial action.

#### Question 40

#### Are there other remedial actions that should be included?

There were 23 responses to this question. Submitters recommended additional remedial actions including organisations being de-registered as an Integrity Code signatory or mentoring or coaching.

## Ability to recommend organisations pay compensation

We sought feedback on clause 32(2) which provides that we can recommend that an organisation pay compensation reasonably related to the harm caused by a breach of the Integrity Code.

### Question 41

#### Should we be able to recommend that an organisation pay compensation?

There were 33 responses to this part of the question.

### Question 42

#### In what circumstances do you think we should recommend that an organisation pay compensation?

There were 27 responses to this part of the question.

Most submitters that provided feedback on this issue strongly opposed the ability for us to recommend an organisation pay compensation, particularly sport and recreation organisations. A small number of submitters supported the idea, but most of those recommended that the power only be used in limited or exceptional circumstances and/or with safeguards in place.

Those who were opposed considered that it was overreach and/or were concerned about the impact on clubs and organisations with limited financial resources:

- ▼ “This requires a whole different level of buy-in and advice via insurance provision and for what insurance cover would protect the financial stability of an organisation.”
- ▼ “Definitely not! Most sports run on the smell of an oily rag and only do so thanks to the time and efforts of volunteers.”

One submitter was concerned about exposing their member organisations to financial liability and concerned about the specific example of compensation for psychological harm being included.

A few submitters considered that other systems were better placed to deal with compensation, for example. courts / civil processes, Sports Tribunal or ACC. Some questioned if it would be useful to include given that it is not enforceable.

Of those that supported this recommendation, most considered that it should be very limited (for example, in exceptional circumstances or where the participant can show financial loss) or when other remedial action was not followed.

### What we changed

In response to the feedback, we removed our ability to recommend that an organisation pay compensation from the Integrity Code.

## Sanctions on participants

### Question 43

#### Do you think that the sanctions available for participants are appropriate?

There were 35 responses to this question. Of those that provided a position, most considered that the sanctions were appropriate. The responses were:

**88% Yes**                      **12% No**

### Question 44

#### Are there other sanctions that should be included?

There were 22 responses to this question. Most did not consider any other sanctions were necessary. The suggestions given included sport-specific sanctions that the sport determines, restorative processes or loss of competition points.

### Question 45

#### Do you agree that organisations can recognise sanctions imposed by another organisation under the Integrity Code?

There were 35 responses to this part of the question. Of those that provided a position, most were supportive of this option. The responses were:

**76% Yes**                      **24% No**

### Question 46

#### What are the advantages or disadvantages of mutual recognition of sanctions?

There were 26 responses to this part of the question. Overwhelmingly, the primary reason given for supporting mutual recognition of sanctions was to prevent “code hopping”, in which a person is sanctioned or excluded from a sport for harmful behaviour but can move to, or continue participating, in another sport. Some submitters noted that it would depend on the circumstances and would need to be confident about the robustness of the investigation in order to impose the sanction on the participant.

## Disciplinary panels

We sought feedback on the appointment criteria for members of the disciplinary panel.

### Question 47

#### **Are there other appointment criteria that should be considered for the disciplinary panel?**

There were 35 responses to this part of the question.

Most submitters who answered this question agreed with the appointment criteria. A few submitters raised concerns with the appointment criteria, including:

- ▼ not considering that tikanga Māori was relevant to disciplinary processes
- ▼ concerns about the focus on diverse representation on the panel and suggesting 'men' should be added to the list of groups.

Several submitters recommended improvements to the appointment criteria, including to:

- ▼ require members to have knowledge of sport, including sport rules and regulations or experience as an athlete or participant
- ▼ require the panel to have child safeguarding and protection expertise
- ▼ provide more detail on the 'good standing' requirement including not having been disqualified from being a director or trustee.

Several submitters from local clubs or organisations had concerns about conflicts of interest and stressed the importance of the panel being able to consider matters impartially and fairly.

We also received other feedback on Schedule 3 including:

- ▼ that the panel should avoid being overly legalistic or adversarial
- ▼ a full recruitment process should be run for panel members
- ▼ it is unclear who appoints the disciplinary panel (for example, the Board or the Chief Executive)
- ▼ that the term of appointment should be 4 years (instead of 5 years) to align with the four-year Olympic cycle.

### **What changed**

In response to the feedback, we add examples to 3(1)(b) of relevant skills/ experience for a panel member including knowledge of sport and recreation activities and rules, and child safeguarding and protection.

We also made sure that detailed information about the appointment process for the disciplinary panel was made available on our website.

## Referrals to disciplinary panels

We sought feedback on what factors we should consider when deciding whether to make a referral and in what circumstances a referral should be made. Most submitters that the current drafting of the Integrity Code was sufficient.

### Question 48

#### **Are there other circumstances where a referral should be made to the disciplinary panel for a hearing?**

There were 24 responses to this part of the question. Around 85% of respondents considered that there were no other circumstances in which a referral should be made.

### Question 49

#### **Are there other factors that we should consider when deciding whether or not to make a referral?**

There were 20 responses to this part of the question. Around 90% of these considered that there were no other factors to be considered.

Several submitters considered that a referral to the disciplinary panel should be a “last resort” when all other avenues are exhausted. We do not recommend this approach. There will be a range of circumstances in which a referral to the disciplinary panel will be appropriate. This includes when the organisation does not have the capacity or capability to run a process even if, technically, it has an internal disciplinary process available.

One organisation suggested that referrals to the disciplinary panel should be:

- ▼ made in cases of severe misconduct, repeated violations, or when the behaviour in question poses a significant risk to participants' safety and well-being
- ▼ when there is a conflict of interest that prevents an impartial investigation, or
- ▼ when previous interventions have failed to resolve the issue.

Other suggestions were for serious breaches or as a “case study” (i.e. when a test case or precedent is needed).

One organisation submitted that:

- ▼ it's unclear how we will treat a referral to a disciplinary panel when the matter involves both Integrity Code breaches and breaches not covered by the Integrity Code
- ▼ we should consider publishing guidance on how it will make sure that public or media interest is not conflated with ‘public confidence’ for the purposes of making a referral – Sch 3, cl 8(2)(e) provides that er can consider whether the need for public confidence in the outcome warrants a greater level of independence.

It also suggested whether it would be better to adopt the 'public interest' test in section 32(2) of the principal Act instead of the public confidence test.

### **What changed**

In response to the feedback, we did not make any changes to the Integrity Code. We consider that these circumstances can all be accommodated within the current drafting or addressed through the disciplinary panel's policies and standard operating procedures.

## **Other matters raised**

### **Structure of the Integrity Code**

Two submitters recommended fundamental changes to the structure of the Integrity Code:

One submitter suggested that Part 3 of the Integrity Code (that deals with our role in relation to complaints and investigations) is removed until their concerns about our role with respect to complaints and investigations can be worked through.

Another submitter suggested the Integrity Code be split into three codes to better provide for the diversity of the sector. It recommended the Integrity Code be split into three covering:

- ▼ the behavioural and education aspects of the current minimum standards and related reporting
- ▼ dispute resolution and investigations, and
- ▼ disciplinary panels.

### **What changed**

In response to the feedback, we did not make any changes to the Integrity Code. The Integrity Code is intended to set out a comprehensive and cohesive approach to preventing and responding to threats to integrity. A modular approach or a suite of several codes that deal with different threats or issues could be considered in future.

## Monitoring compliance with minimum standards

Several submitters provided feedback or asked questions about how compliance with minimum standards would be monitored or audited.

Often responsibility for integrity sits with a single person or an organisation's integrity improvements are championed by a few key people. Submitters raised that high levels of key staff turnover in the sector is an issue because when these people change roles or leave, an organisation may lose some of its integrity capability. Submitters were concerned that organisations may reach "compliance" with the minimum standards, but then slip into non-compliance over time.

One submitter suggested that comprehensive reporting requirements for organisations that are bound by the Integrity Code would help address this issue.

### What changed

In response to the feedback, we wanted to balance the ability to monitor compliance against placing further regulatory/administrative burdens on adopting organisations by imposing a full audit requirement. On that basis we added a discretionary ability for us to require an organisation that has adopted the Integrity Code to provide information to us for the purpose of assessing compliance with any of the minimum standards.

## Out of scope

Some submitters provided feedback that was out of scope of the Integrity Code or our role. These included:

- ▼ adding anti-doping to the list of prohibited behaviours – doping is dealt with under the Sports Anti-Doping Rules and is out of scope of the Integrity Code.
- ▼ selection matters – selection is not part of our role or jurisdiction except where there is a suspected threat to integrity (for example. Discrimination or abuse)
- ▼ changes to the Integrity Sport and Recreation Act 2023 – these are out of scope of our role, and
- ▼ section 32 investigations – some provided feedback on how we should use our statutory power to investigate threats to integrity.



# Appendix 1

## Demographic information

Questions 6-11 in the online survey (Citizen Space).

### Demographic information

Question	Responses
<b>Question 6</b> <b>What is your gender?</b>	There were 50 responses. 25 submitters were male (X%) 22 were female (X%) 3 preferred not to say (X%).
<b>Question 7</b> <b>Where do you live?</b>	There were 49 responses. 4 (%) were from Northland / Te Tai Tokerau 12 (%) were from Auckland / Tāmaki Makaurau 6 (%) were from Waikato 2 (%) were from Bay of Plenty / Te Moana-a-Toi 2 (%) were from Hawke's Bay / Te Matau-a Māui 1 (%) were from Manawatū-Whanganui 9 (%) were from Wellington / Te Whanganui-a-Tara 1 (%) were from Nelson / Whakatū 9 (%) were from Canterbury / Waitaha 2 (%) were from Otago / Ōtākou 1 (%) were from Southland / Murihiku
<b>Question 8</b> <b>What is your age?</b>	There were 48 responses to this question. All submitters were adults (over the age of 18 years old). Of the responses: 1(%) was between 18-24 years old 4 (%) were between 25-34 years old 21 (%) were between 35-49 years old 19 (%) were between 50-64 years old 2 (%) were between 65-74 years old 1 (%) was over 75 years old.
<b>Question 9</b> <b>Which of the following options best describes your sexual identity?</b>	There were 45 responses to this question. Of the submitters that responded: 34 (%) were Heterosexual or straight 3 (%) were gay or lesbian 1 (%) was bisexual 7 (%) preferred not to say

## Question

## Responses

**Question 10**  
**Which ethnic group(s)**  
**do you belong to?**

There were 48 responses to this question. Of the submitters that responded:  
36 (%) were New Zealand European  
7 (%) were Māori  
1 (%) was Chinese  
11 (%) identified as Other

**Question 11**  
**Do you have difficulty**  
**doing any of the following?**  
**Select all that apply to you.**

There were 48 responses to this question.

**Seeing, even if wearing glasses**  
No difficulty 73%  
Some difficulty 27%  
A lot of difficulty 0%  
Cannot do at all 0%

**Hearing, even if using a hearing aid(s)**  
No difficulty 83%  
Some difficulty 15 %  
A lot of difficulty 2%  
Cannot do at all 0%

**Walking or climbing steps**  
No difficulty 83%  
Some difficulty 15%  
A lot of difficulty 2%  
Cannot do at all 0%

**Remembering or concentrating**  
No difficulty 83%  
Some difficulty 15 %  
A lot of difficulty 2%  
Cannot do at all 0%

**Self-care, such as washing all over or dressing**  
No difficulty 98%  
Some difficulty 2%  
A lot of difficulty 0%  
Cannot do at all 0%

**Communicating in your usual language, for example understanding or being understood**  
No difficulty 96%  
Some difficulty 4%  
A lot of difficulty 0%  
Cannot do at all 0%

# Appendix 2

## Consultation 2022-2024

Section 20 of the Act requires that before making an Integrity code, we must consult participants, national sporting organisations, national recreation organisations, Māori, other relevant stakeholders (including Pacific peoples, disabled people, children and young people, women and girls, and rainbow people), and the Privacy Commissioner on the proposed code.

The transitional provisions mean that consultation undertaken by the Integrity Transition Programme (before we commenced) is valid and effective if, had we completed it after the commencement date, it would have been in accordance with section 20.

An overview of the consultation undertaken by the Integrity Transition Programme and ourselves is provided below. This includes consultation that occurred before, during and after the formal public submission period that took place between 23 September to 15 November 2024. We are satisfied that the consultation meets the statutory requirements in the Act.

Stakeholder	Consultation activities
<b>Participants</b>	<p>Most consultation and engagement activities involved participants. Key participant consultation included:</p> <ul style="list-style-type: none"> <li>▼ Allen + Clarke public survey (June-August 2023)</li> <li>▼ Online discussion groups (Trailblazer Research, 2023)</li> <li>▼ Athlete Reference Group workshops (September-December 2023)</li> </ul>
<b>National sporting and national recreation organisations</b>	<ul style="list-style-type: none"> <li>▼ Initial sector engagement hui (February-March 2022)</li> <li>▼ Consultation on versions 0.8 and 1.1 of the Integrity Code (2023-2024)</li> <li>▼ Targeted engagement or testing with select organisations (ongoing throughout development of the Integrity Code, 2023-2024)</li> <li>▼ Consultation meetings and webinars during public consultation (September – November 2024)</li> </ul>
<b>Māori</b>	<ul style="list-style-type: none"> <li>▼ Te Ope Tāmiro (ongoing feedback throughout development of the Integrity Code)</li> <li>▼ Online discussion groups (Trailblazer Research, 2023) – Māori participants across both adult and rangatahi focus groups</li> <li>▼ Targeted engagement with Māori (Pou Tikanga, 2023)</li> <li>▼ Hui with Māori NSOs (2023, 2024)</li> <li>▼ Māori public consultation webinar (November 2024)</li> </ul>

Stakeholder	Consultation activities
<b>Pacific peoples</b>	<ul style="list-style-type: none"> <li>▼ Online discussion groups (Trailblazer Research, 2023) – included Pasifika focus group</li> <li>▼ Pacific peoples fono (October 2023 and February 2024)</li> <li>▼ Hivā talanoa and research report (May-June 2024)</li> </ul>
<b>Disabled peoples</b>	<ul style="list-style-type: none"> <li>▼ Athlete Reference Group workshops (September-December 2023) – included Paralympian representatives</li> <li>▼ Engagement and feedback from Special Olympics, Halberg and Paralympics New Zealand (2023-2024)</li> <li>▼ Submissions from Disabled Peoples Organisation Coalition, d-Sport and Paralympics New Zealand (public consultation, 2024)</li> </ul>
<b>Children and young people</b>	<ul style="list-style-type: none"> <li>▼ Online discussion groups (Trailblazer Research, 2023) – held five rangatahi focus groups (74 participants)</li> <li>▼ Engagement and survey of children and young people at AIMS Games (2024)</li> </ul>
<b>Women and girls</b>	<ul style="list-style-type: none"> <li>▼ Online discussion groups (Trailblazer Research, 2023) – focussed on women and girls participation</li> <li>▼ Athlete Reference Group workshops (September-December 2023) – eight women high-performance athletes</li> </ul>
<b>Rainbow people</b>	<ul style="list-style-type: none"> <li>▼ Online discussion groups (Trailblazer Research, 2023) – adult focus group</li> <li>▼ Allen + Clarke public survey (June-August 2023)</li> <li>▼ Submission from Inside Out Kōaro (public consultation, 2024)</li> </ul>
<b>Privacy Commissioner</b>	<p>Consulted on drafts of the Integrity Code:</p> <ul style="list-style-type: none"> <li>▼ version 0.8 (February 2024)</li> <li>▼ version 1.1 (June 2024)</li> <li>▼ version 1.2 (September 2024)</li> </ul> <p>ITP staff met with representatives on 4 June 2024 to discuss relevant drafting changes and indicate how privacy issues might be managed in practice (for example. a secure portal for mandatory notification).</p> <p>Commission staff discussed feedback on version 1.2 with OPC in October 2024 and addressed this feedback through drafting changes to version 1.4.</p>
<b>Government agencies</b>	<p>Including Drug Free Sport New Zealand, New Zealand Police, High Performance Sport New Zealand, Ministry for Culture and Heritage, Public Service Commission, Sport New Zealand, and the Sports Tribunal of New Zealand.</p>



**Sport Integrity  
Commission**  
Te Kahu Raunui