

DISCIPLINE & COMPLAINTS POLICY



1.0 DEFINITIONS

- 1.1 Complainant – The party alleging an infraction
- 1.2 Individuals – all individuals employed by, or engaged in activities with viaSport including, but not limited to board members, advisory group members, contractors, Coach Developers and volunteers.
- 1.3 Respondent – The alleged infracting party

2.0 PURPOSE

- 2.1. All Individuals are expected to comply with viaSport’s Code of Ethics Policy and the BC Universal Code of Conduct.
- 2.2. Non-compliance may result in disciplinary actions pursuant to this Policy.

3.0 APPLICATION

- 3.1. This Policy applies to matters that may arise during the course of viaSport’s business, activities, and events including, but not limited to, any meetings, courses and travel associated viaSport activities.
- 3.2. This Policy also applies to Individuals’ conduct outside of viaSport’s business, activities, and events when such conduct adversely affects relationships within the organization (and its work and sport environment), is detrimental to the image and reputation of the organization, or upon the acceptance of the organization. Applicability will be determined by viaSport at its sole discretion.

4.0 REPORTING

- 4.1. Any Individual may report an incident in writing using the complaint form.
- 4.2. Complaints should be reported as soon as possible after experiencing or witnessing an incident.
- 4.3. Complaint forms should be submitted to the Chief Executive Officer.
- 4.4. If the Chief Executive Officer or Board Chair are being reported about, the form can be submitted to the Governance Committee Chair.

5.0 INVESTIGATION

- 5.1. Most investigations will be conducted internally. In complex or sensitive situations, the Chief Executive Officer may contract an external investigator.
- 5.2. If the Respondent is the Chief Executive Officer or Board Chair, the Governance Committee Chair will contract an Independent Third Party to conduct the investigation.
- 5.3. Investigations will be:
 - 5.3.1.1. Undertaken promptly and diligently, and be as thorough as necessary
 - 5.3.1.2. Be fair and impartial, providing both the Complainant and Respondent equal treatment in evaluating the allegations
 - 5.3.1.3. Be sensitive to the interests of all parties involved and maintain confidentiality

DISCIPLINE & COMPLAINTS POLICY



- 5.3.1.4. Be focused on finding facts and evidence
- 5.3.1.5. Incorporate, where appropriate, any need or request from the Complainant or Respondent for assistance during the investigation process.

- 5.4. Investigations will include interviews with those involved and any witnesses. If the parties agree on what occurred, then no further investigation will be required, and will determine what corrective action to take, if necessary.
- 5.5. Investigations will also include review of any evidence, such as emails, photographs or physical evidence.
- 5.6. Individuals are expected to cooperate with investigators and provide any details of incidents they have experienced or witnessed.
- 5.7. The investigator will provide a written report with conclusion to the Chief Executive Officer. If the Respondent is the Chief Executive Officer or Board Chair, the written report with conclusion will be provided to the Governance Committee Chair.
- 5.8. Those involved in the investigation will be advised of the investigation findings.

6.0 DISCIPLINE

- 6.1. Individuals found to be in violation of the viaSport Code of Ethics Policy and/or the BC Universal Code of Conduct are subject to appropriate disciplinary action.
- 6.2. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

7.0 SUSPENSION PENDING A HEARING

- 7.1. viaSport may determine, at its sole discretion, that an alleged incident is of such seriousness as to warrant the immediate interim suspension of an Individual pending completion of a criminal process, the investigation, or a final decision.

8.0 CRIMINAL CONVICTIONS

- 8.1. An individual's conviction for a Criminal Code offense, as determined by viaSport, will be deemed an infraction under this Policy and will result in expulsion from viaSport. Criminal Code offenses may include, but are not limited to:
 - 8.1.1. Any child pornography offenses
 - 8.1.2. Any sexual offenses
 - 8.1.3. Any offense of physical violence
 - 8.1.4. Any offence of assault
 - 8.1.5. Any offence involving trafficking of illegal drugs

DISCIPLINE & COMPLAINTS POLICY



9.0 CONFIDENTIALITY

- 9.1. The discipline and complaints process is confidential. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the complaint to any person not involved in the proceedings.

10.0 RECORDS & DISTRIBUTION OF DECISIONS

- 10.1. Records of all written complaints, investigation findings and disciplinary actions will be maintained by viaSport.
- 10.2. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, etc., may be advised of any decisions rendered in accordance with this Policy.

DISCIPLINE & COMPLAINTS POLICY



REPORT FORM

Name and contact information of Complainant
Name of Respondent

Personal statement

Please describe in as much detail as possible the bullying and harassment incident(s), including:

- the names of the parties involved
- any witnesses to the incident(s)
- the location, date, and time of the incident(s)
- details about the incident(s) (behaviour and/or words used)
- any additional details that would help with an investigation

Attach any supporting documents, such as emails, handwritten notes, or photographs. Physical evidence, can also be submitted.

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Signature	Date
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DISCIPLINE & COMPLAINTS POLICY



Policy History

Date	Made by	Previous Version	Changes:	Comments
10 Jan 2022	viaSport Management	Section 4 – Discipline Panel. Section 5 – Reporting Section 6 – Process for Minor Infractions Section 7 – Process for Major Infractions	Removed sections 4 to 7. Replaced with simplified reporting and investigation processes. Revised wording to remove duplication in Code of Ethics Policy and BC Universal Code of Conduct.	Addition of an independent third-party reporting mechanism for complaints about the CEO or Board Chair.
19 Jan 2022	Management			Tabled at Governance Committee
16 Feb 2022	Management	Circulated updated version to the Governance Committee		Reviewed by Governance Committee.
8 March 2022	Management	Circulated to the Board with Resolution for approval		Reviewed by Board
14 March 2022	Board			Electronically approved by Board of Directors

Board Approved March 14, 2022