

DISCIPLINE PROCEDURE

1 PROCEDURE

Synchro Swim BC will not tolerate any form of offence directed towards or performed by its members because of race, colour, ancestry, place of origin, political belief, religion, marital status, physical or mental disability, sex, age, or abilities as reflected in the Synchro BC and Synchro Canada Code of Conduct.

Procedures for dealing with minor infractions shall be informal as compared to those for major infractions.

1.1 FIRST STEPS

1. Synchro Swim BC encourages any individual who is subjected to any form of offence to report the offence to the appropriate club, team, centre, or the Association as designated below:
 - **Any incident involving an athlete should be referred to the applicable coach or club as per the club's policy.**
 - Any incident involving a coach or an official should be first referred to the applicable club executive, or if that is not possible, or not resolved to the individual's satisfaction, to the Synchro BC Executive Director.
2. Escalation processes should be clearly defined within each club's policy with ultimate escalation directed to the Synchro BC Executive Director as warranted, in writing and using the Discipline Incident Report. If the Executive Director is in conflict, the form should be forwarded to one of the Synchro BC Board of Directors.

1.2 INFORMAL PROCESS (MINOR INFRACTIONS)

1. If the conduct continues or is still unresolved, the member should then seek the advice of the Disciplinary Advisor that has been designated by Synchro BC.
2. The Disciplinary Advisor shall obtain the original signed and dated Discipline Incident Report and any additional new findings from the Executive Director.
3. The Disciplinary Advisor should then meet with the complainant to try to resolve the situation informally. The Disciplinary Advisor should also let the complainant know of:
 - The option of pursuing an informal resolution of the complaint;
 - The right to make a formal written complaint when an informal resolution is inappropriate or not feasible
 - The availability of support for counseling
 - The confidentiality provision of this policy
 - Other avenues of recourse

4. Following this meeting, the following steps may be taken depending on the result:
 - **It may be determined that the conduct does not constitute disciplinary measures**, in which case the Disciplinary Advisor will take no further action.
 - **The complainant may decide to pursue an informal resolution of the incident**, in which case the Disciplinary Advisor will meet with the respondent with a view of obtaining an apology and an assurance that the offensive conduct will not be repeated. A written contract or agreement, team service or other voluntary contribution, temporary suspension may be required or other sanctions as may be considered appropriate for the offence.
 - **The complainant may not decide to pursue an informal or formal resolution and yet the Disciplinary Advisor feels there is enough evidence to warrant fault**, then the Disciplinary Advisor may meet with the respondent in view of obtaining an apology on assurance that the offensive conduct will not be repeated, making every reasonable effort to protect the identity of the complainant. If the Disciplinary Advisor is satisfied that the complaint has been resolved, then no further action is needed. If the Disciplinary Advisor is not satisfied, then the Advisor may refer the matter to a Disciplinary Panel designated by Synchro BC.
 - **The complainant may desire to pursue a formal resolution**, in which case the matter will be referred to a Disciplinary Panel designated by Synchro BC.

1.3 FORMAL PROCESS (MAJOR INFRACTIONS)

1. The Disciplinary Panel (the Disciplinary Panel will follow the terms of reference for an Ad Hoc Committee.), after receiving the complaint from the Advisor, will review and clarify the complainant's written statement and give a copy to the complainant and the respondent. To allow the alleged offender the opportunity to respond to the allegations, the Panel will also request a written response from the respondent to be delivered within ten days. Medical testing in the case of doping or drug violation may be required.
2. The investigation may include interviews with the complainant, the respondent and any witnesses, as the Panel deems appropriate. Each party will bear their own costs or expenses and will share any mediation and resolution expense should they arise.
3. Within a reasonable amount of time of receiving the initial complaint, the Panel shall notify the conduct a thorough investigation and prepare a report which contains;
 - a summary of the relevant facts,
 - a determination as to whether the acts in question qualifies as an offence as defined by this policy,
 - Recommended disciplinary action against the respondent.
4. When recommending the action to be taken, the Panel shall consider factors such as:
 - the nature and severity of the offence;
 - whether the offence involved any physical contact, extent of injury and prospects of rehabilitation;
 - whether the offence was an isolated incident or part of an ongoing pattern;
 - the nature of the relationship between the complainant and the respondent;
 - the relative age of both parties;
 - whether the respondent has been involved in previous offensive incidents;
 - the cooperation of the individual being disciplined in the proceedings under this policy
 - the individual's remorse and post-infraction conduct
 - whether the respondent retaliated against the complainant

5. The Panel shall then forward copies of the report to the complainant, the respondent, the Synchro BC Board of Directors and the involved club if applicable
6. It is the responsibility of all parties involved to know Synchro BC's policy regarding discipline.

1.4 FORMAL DISCIPLINARY MEASURES

The Panel may apply the following disciplinary sanctions singly or in combination, for major infractions. The following formal disciplinary measures may be instated, but are not limited to:

- written warning to be kept on file
- hand-delivered written apology
- a written contract or agreement
- team service or other voluntary contributions
- suspension for a designated amount of time
- suspension from certain Synchro BC activities (i.e., training, competing, coaching or officiating)
- permanent suspension
- suspension of all club and Synchro BC funding
- payment of a financial fine in an amount to be determined by the Panel
- other sanctions as may be considered appropriate for the offence.

Unless the Disciplinary Panel decides otherwise, any disciplinary sanctions applied shall take effect immediately. Failure to comply with a sanction as determined by the Panel will result in automatic suspension of membership in Synchro BC until such time as compliance occurs.

1.5 SERIOUS INFRACTIONS

The Disciplinary Panel may determine that an alleged incident is of such seriousness as to warrant suspension of the individual pending further investigation, a hearing and a decision of the Panel.

Where it is brought to the attention of the Disciplinary Panel that a Member has been charged with an offence under the Criminal Code, or has previously been convicted of a criminal offence, the Panel may suspend the person pending further investigation, a hearing or a decision of the Panel.

Notwithstanding the procedures set out in this Policy, any Synchro BC representative who is convicted of a criminal offense involving sexual exploitation, invitation to sexual touching, sexual interference, sexual assault or aggravated assault will face automatic suspension from participating in any activities of Synchro BC for a period of time corresponding to the length of the criminal sentence imposed by the court, and may face further disciplinary action by Synchro BC in accordance with this policy.

2 RETALIATION

No person may engage in retaliation, intimidation or any other form of punishment against people who raise good faith concerns about any offence or who assist in an investigation. Retaliation will be grounds for discipline.

3 APPEAL

The decision of the Panel may be appealed in accordance with Synchro BC’s Appeal Policy.

4 REFERENCES

Member: member in good standing of the British Columbia Amateur Synchronized Swimming Association (dba “Synchro BC”), in accordance with the current Bylaws.

Codes of Conduct: the approved Code(s) of Conduct for members of the association that describe expected standards and behavior as a member of the association.

Offence/Complaint: an issue that is informally or formally brought to the attention of the association in writing, and alleges misconduct or other non-compliance of Policies or Rules and Regulations by a particular member(s)

Complainant: the individual who files an offence complaint, in accordance with the Discipline Policy

Respondent: The alleged offender – the individual or club against whom an offence complaint is filed, in accordance with the Discipline Policy

Disciplinary Advisor: An individual appointed by Synchro BC. The role of the Disciplinary Advisor is to

- serve in a neutral unbiased capacity
- receive and assist in informal resolutions
- make recommendations for further action.
- provide information about the resources and support available

The Disciplinary Advisor will handle complaints that may be resolved through informal procedures, and refer all other complaints to the Disciplinary Panel.

Disciplinary Panel: At least three individual appointed by Synchro BC to investigate a disciplinary complaint as provided in this policy. The Disciplinary Panel will follow the terms of reference for an Ad Hoc Committee.

5 RESOURCES

Resources provided upon request

Access to this Policy will be provided to all members.

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