

DISPUTE AND CONFLICT RESOLUTION PROCEDURE

1 PROCEDURE

Synchro Swim BC will act and follow the following steps to ensure best possible solution to dispute and conflicts brought forward. Synchro BC will act in accordance with the Synchro BC and Synchro Canada Code of Conduct.

Procedures for dealing with minor dispute or conflict resolutions shall be informal as compared to those that are major which will be considered to be formal.

1.1 FIRST STEPS

1. Synchro Swim BC encourages any individual who is subjected to any form of dispute/conflict situation to report the dispute/conflict 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 Dispute and Conflict Resolution Complaint Form. 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

1. If the conduct continues or is still unresolved, the member should then seek the advice of the Dispute and Conflict Resolution Advisor that has been designated by Synchro BC.
2. The Dispute and Conflict Resolution Advisor shall obtain the original signed and dated Dispute and Conflict Resolution Complaint Form and any additional new findings from the Executive Director.
3. The Dispute and Conflict Resolution Advisor should then meet with the complainant to try to resolve the situation informally. The Dispute and Conflict Resolution 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 dispute and conflict resolution measures**, in which case the Dispute and Conflict Resolution Advisor will take no further action.
 - **The complainant may decide to pursue an informal resolution of the complaint**, in which case the Dispute and Conflict Resolution Advisor will meet with the respondent with a view of obtaining an apology and an agreement that the dispute and/or conflict has been resolved. A written contract or agreement may be required.
 - **The complainant may not decide to pursue an informal or formal resolution and yet the Dispute and Conflict Resolution Advisor feels there is enough evidence to warrant pursuit**, then the Dispute and Conflict Resolution Advisor may meet with the respondent in view of obtaining an apology and an agreement that the dispute and/or conflict has been resolved, making every reasonable effort to protect the identity of the complainant.

If the Dispute and Conflict Resolution Advisor is satisfied that the complaint has been resolved, then no further action is needed. If the Dispute and Conflict Resolution Advisor is not satisfied, then the Advisor may refer the matter to a Dispute and Conflict Panel by Synchro BC.
 - **The complainant may desire to pursue a formal resolution**, in which case the matter will be referred to a Dispute and Conflict Resolution Panel designated by Synchro BC.

1.3 FORMAL PROCESS

1. The Dispute and Conflict Resolution Panel, 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 parties involved the opportunity to respond to the allegations, the Officer will also request a written response from the respondent to be delivered within ten days.
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 dispute and/or conflict 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 of the dispute and/or conflict;
 - whether the dispute and/or conflict involved any physical contact;
 - whether the dispute and/or conflict 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 dispute and/or conflict incidents;
 - 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. Should discipline be required, the Synchro BC Board of Directors will appoint an Ad Hoc Committee and proceedings will start as outlined in the Discipline Policy.

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6. It is the responsibility of all parties involved to know Synchro BC's policy regarding Dispute and Conflict Resolution.

2 RETALIATION

No person may engage in retaliation, intimidation or any other form of punishment against people who raise good faith concerns about dispute and/or conflict complaints 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.

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 & Regulations by a particular member(s)

Complainant: the individual who files a harassment complaint, in accordance with the Harassment Policy

Respondent: The alleged offender – the individual or club against whom a harassment complaint is filed, in accordance with the Harassment Policy

Dispute and Conflict Resolution Advisor: An individual appointed by Synchro BC. The role of the Dispute and Conflict Resolution 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 Dispute and Conflict Resolution Advisor will handle complaints that may be resolved through informal procedures, and refer all other complaints to the Dispute and Conflict Resolution Panel.

Dispute and Conflict Resolution Panel: At least three individuals appointed by Synchro BC to investigate a dispute and/or Conflict complaint as provided in this policy. The Dispute and Conflict Resolution 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. By using these policies, all parties agree that they will not commence any action, legal or otherwise, against Synchro BC.

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