



<b>Policy Name</b> <b>CONDUCT AND DISCIPLINE</b>		<b>Date of Approval</b> <b>October 13, 2017</b>	<b>Activation Date</b> <b>October 13, 2017</b>
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### **1.0 The Gymnastics BC Codes of Ethics for All Members**

The Code of Ethics provides the standards and expectations of Conduct for all members of Gymnastics BC. The Code of Ethics applies when participating in competitions, training, team activities or traveling to or from any activity sanctioned by GBC, including all club activities.

#### **1.1 True Sport**

Gymnastics BC is a member of the True Sport Movement which celebrates healthy, respectful competition. As a True Sport supporter, Gymnastics BC adheres to the practices and principles of True Sport. For a complete listing of information on True Sport please see [www.truesport.ca](http://www.truesport.ca).

#### **1.2 Responsibilities**

##### **1.2.1 Membership**

Every member of GBC shall adhere to the Code of Ethics. Every member in a position of authority is responsible for guiding those under his/her jurisdiction to abide by the Code of Ethics, both by setting an appropriate example and by his or her own instruction.

##### **1.2.2 Club**

The club / organization bears the responsibility for ensuring that its individual members know, understand and follow the provision of the Code of Ethics.

##### **1.2.3 Coach**

Coaches bear a particular responsibility for ensuring that their athletes are aware of, follow and understand the Code of Ethics and for communicating to the athletes what conduct is expected of them when they participate in any program, event or competition sanctioned by GBC.

### **2.0 General Rules of Conduct**

Conduct shall at all times reflect honesty, good sportsmanship, courtesy and respect toward others. All members are encouraged to co-operate together for the betterment of the sport. Unsportsmanlike conduct, misconduct, harassment or any form of discrimination are not acceptable and subject to disciplinary action as outlined in the GBC Disciplinary Policy.



All athletes, coaches, officials, volunteers, parents and others are strongly encouraged to report conduct that contravenes the expectations and standards of Gymnastics BC as outlined in these policies.

### **2.1 Bill of Rights for Athletes**

#### **2.1.1 Athletes' Rights**

Athletes are at the centre of Gymnastics BC's responsibilities and mandate. Athletes shall meet the standards of behaviour established by their individual clubs and GBC, and have the following rights as athlete-members.

Athletes have the right to:

- a. have fun through sport;
- b. play as child athletes;
- c. participate in sports regardless of ability;
- d. participate at a level that is consistent with the developmental level;
- e. have qualified, sensitive leadership;
- f. participate in a safe and healthy environment;
- g. share in the leadership and decision making of their sport;
- h. proper preparation in the sport;
- i. an equal opportunity to strive for success;
- j. be treated with dignity by all involved and be free from harassment or discrimination.

#### **2.1.2 Athlete Code of Conduct**

When participating in competitions, training, team activities or traveling to or from any activity sanctioned by GBC, athletes must follow GBC's standards and expectations.

Athletes shall:

- a. adhere to their club's rules and regulations;
- b. be encouraging and supportive to all teammates and competitors at meets, through social interaction and when using electronic communication;
- c. avoid the use of, advocating for, condoning, promoting or distributing banned substances as published by the Canadian Centre for Ethics in Sport from time to time in the Drug Classification Handbook;
- d. be respectful and courteous to coaches, judges, volunteers and spectators;
- e. acknowledge and follow instructions from coaches or other persons of authority at events and when travelling, for the athlete's own safety and protection



- f. report to a GBC official any situations in which the athlete is made to feel uncomfortable or is being asked to do anything outside of the context of these Codes.

### **2.2 Coaches' Code of Ethics**

This Code of Ethics outlines the expectations for personal conduct consistent with the position and profession of Gymnastics BC Coach. All GBC Coach members must uphold and reflect the core values of this Code

The coach - athlete and coach - parent relationships are privileged ones. Coaches play a pivotal role in the personal and athletic development of their athletes. Coaches are key role models through which the values and goals of the sport and the sport organizations are channelled. Coaches should understand and be sensitive to the inherent power they can exert over athletes. Coaches must also recognize that they assume the full range of "duty of care" responsibilities while the athlete is under their control.

#### **2.2.1 Ethical Principles**

The Coaches' Code of Ethics is organized around four ethical principles:

- a. Respect for Participants

The principle of respect challenges coaches to act in a manner respectful of the dignity of all participants in sport. Fundamental to this principle is the basic assumption that each person has value and is worthy of respect.

- b. Responsible Coaching

The principle of responsible coaching ensures that the activities of coaches will benefit society in general and participants in particular and will do no harm. Fundamental to the implementation of this principle is the notion of competence - responsible coaching (maximizing benefits and minimizing risks to participants) is performed by coaches who are "well prepared and current" in their discipline.

- c. Integrity in Relationships

Coaches are expected to be honest, sincere and honourable in their relationships with others. Acting with the principle of integrity on these values is most possible when coaches possess a high degree of self-awareness and the ability to critically reflect on how their perspectives influence their interactions with others.

- d. Honouring Gymnastics

This principle challenges coaches to recognize, act on, and promote the value of sport for individuals, teams, other partners in gymnastics and for society in general.

#### **2.2.2 Adoption of the National Coaching Certification Program (NCCP) Code of Ethics**

Gymnastics BC has adopted the Coaching Association of Canada's "National Coaching Certification Program (NCCP) Code of Ethics" to describe the expectations for good conduct from coaches within the GBC membership.



<b>Physical safety and health of athletes</b>	Ensure that training or competition site is safe at all times
	Be prepared to act quickly and appropriately in case of emergency
	Avoid placing athletes in situations presenting unnecessary risk or that are beyond their level
	Strive to preserve the present and future health and well-being of athletes
<b>Coaching responsibly</b>	Make wise use of the authority of the position and make decisions in the interest of athletes
	Foster self-esteem among athletes
	Avoid deriving personal advantage for a situation or decision
	Know one's limitations in terms of knowledge and skills when making decisions, giving instructions or taking action
	Honour commitments, word given, and agreed objectives
	Maintain confidentiality and privacy of personal information and use it appropriately
<b>Integrity in relations with others</b>	Avoid situations that may affect objectivity or impartiality of coaching duties
	Abstain from all behaviours considered to be harassment or inappropriate relations with an athlete
	Always ensure decisions are taken equitably
<b>Respect</b>	Ensure that everyone is treated equally, regardless of age, ancestry, colour, race, citizenship, ethnic origin, place of origin, language, creed, religion, athletic potential, disability, family status, marital status, gender identity, gender expression, sex, and sexual orientation
	Preserve the dignity of each person in interacting with others
	Respect the principles, rules, and policies in force
<b>Honouring sport</b>	Strictly observe and ensure observance of all regulations
	Aim to compete fairly
	Maintain dignity in all circumstances and exercise self-control
	Respect officials and accept their decisions without questioning their integrity

**2.3 Parents' Code of Ethics**

Parents shall:

- a. ensure that their child is willing and wanting to participate in sports;
- b. remember that children are involved in organized sports for their enjoyment, not yours;
- c. encourage your child to always play by the rules;
- d. teach your child that honest effort is as important as awards so that the result of each competition is accepted without undue disappointment;
- e. turn defeat to victory by helping your child work toward skill improvement and good sportsmanship. Never ridicule or yell at your child for making a mistake or losing a competition;



- f. remember that children learn best by example. Applaud good performance by your team and by members of the other teams;
- g. not publicly question the officials' judgement and never their honesty;
- h. support all efforts to remove verbal and physical abuse from children's sporting activities;
- i. support a sporting environment of respect, fair play and integrity.

### **2.4 Officials Code of Ethics**

An Official shall:

- a. treat gymnasts, coaches, other officials, volunteers and spectators with respect and in doing so encourage reciprocal treatment;
- b. be completely unbiased;
- c. avoid judging a gymnast he or she is coaching or related to;
- d. not allow anything to influence or give the appearance of affecting his or her judgment in rendering fair and impartial scores;
- e. act professionally and support the actions of GBC at all times;
- f. not criticize or attempt to explain other officials' judgments or decisions to coaches, teams or affiliates;
- g. avoid judging at meets where he or she holds a bias for or against a team or individual.
- h. not officiate the level at which he or she may compete;
- i. take advantage of professional development and educational opportunities to ensure that they maintain awareness and understanding of the changes and evolution of the sport.

### **2.5 GBC Board Member Code of Ethics**

A member of the GBC Board of Directors shall:

- a. represent the best interests of the organization as a whole, while respecting the needs and priorities of individual clubs and other members. Focus his/her efforts on the mission of the organization and not his/her personal goals;
- b. not use the organization or serve on the Board for his/her own personal advantage or for the individual advantage of his/her friends or supporters;
- c. abide by the GBC policies on confidentiality and conflict of interest;
- d. approach all Board issues with an open mind, prepared to make the best decision for the whole organization;
- e. do nothing to violate the trust of those who elected or appointed him/her to the Board;



- f. never exercise authority as a Board member except when acting in a meeting with the full board or as delegated by the Board.

### **2.6 GBC Committee Members Code of Ethics**

An appointed or elected committee member shall:

- a. represent the best interests of the organization as a whole, while respecting the needs and priorities of individual clubs and other members. Focus his/her efforts on the mission of the organisation and not his/her personal goals;
- b. not use the organisation or serve on a committee for his/her own personal advantage or for the individual advantage of his/her friends or supporters;
- c. abide by the GBC policies of confidentiality and conflict of interest;
- d. approach all committee issues with an open mind, prepared to make the best decision for the whole organisation;
- e. do nothing to violate the trust of those who elected or appointed him/her to a committee;
- f. never exercise authority as a committee member unless specifically delegated to do so by the committee chair.

### **2.7 Member Club Code of Ethics**

The Member Club shall:

- a. manage the club and its programs with the best interests of its athletes, coaches and other members at the forefront;
- b. emphasize fair play, stage appropriate skill development and provision of a healthy sport environment in all of the club's activities;
- c. encourage professional development for coaches and instructors;
- d. ensure that club members are aware of the expectations of conduct as members of Gymnastics BC;
- e. govern the club with integrity, transparency and strong competency in operations;
- f. abide by the Bylaws and policies of Gymnastics BC.

## **3.0 Harassment**

GBC does not tolerate Harassment in connection with any of its internal or external business, sport or related activities, and is committed to providing an environment in which all individuals are treated with respect and dignity. Each individual has the right to participate and work in an environment that promotes equal opportunities and prohibits discriminatory practices.





This policy applies to all employees, directors, officers, volunteers, coaches, athletes, participants, officials, members and persons with an employment or contractual relationship with GBC, during the course of their involvement in GBC sanctioned activities and/or events. GBC encourages the prompt reporting of all incidents of Harassment, regardless of who the alleged offender may be.

For the purposes of this policy, Harassment may occur:

- a. at sporting events, competitions or training sessions;
- b. at the office;
- c. at office or sport-related social functions;
- d. at GBC's business or sport functions, such as meetings, conferences, training sessions, and workshops;
- e. during work- or sport-related travel;
- f. via the telephone, electronic and/or other telecommunication devices;
- g. elsewhere if the person harassed is there as a result of work- or sport-related responsibilities or a work- or sport-related relationship.

Any behaviour that satisfies one or more of the following definitions of Harassment may describe a breach of the Gymnastics BC Codes of Ethics and Conduct.

### **3.1 Personal Harassment**

Behaviour, including communication, conduct or gesture, which:

- a. is insulting, intimidating, humiliating, hurtful, malicious, degrading, or otherwise offensive to an individual or group of individuals;
- b. would be considered by a reasonable person to create an intimidating, humiliating or uncomfortable work or sport-related environment.

### **3.2 Sexual Harassment**

Behaviour involving unwelcome sexual advances, requests for sexual favours or other communication (verbal or written) or physical conduct of a sexual nature when:

- a. such conduct might reasonably be expected to cause embarrassment, insecurity, discomfort, offense or humiliation to another person or group;
- b. submission to such conduct is made, implicitly or explicitly, a condition of employment or participation in a sport-related activity;
- c. submission to or rejection of such conduct is used as a basis for any employment or sport-related decision;
- d. such conduct has the purpose or the effect of interfering with a person's work or sport performance or of creating an intimidating, hostile or offensive work or sport environment.



### **3.3 Retaliation or Acts of Retaliation**

Types of behaviour that may constitute Harassment include, but are not limited to:

- a. written or verbal abuse or threats;
- b. physical assault;
- c. unwelcome remarks, jokes, innuendoes, or taunting about a person's body, sexual orientation, attire, age, marital status, ethnic or racial origin, or religion;
- d. displaying of racist or other offensive or derogatory material, racial, ethnic or religious graffiti;
- e. practical jokes, hazing or initiation rites which cause awkwardness or embarrassment, endangering a person's safety or negatively affecting performance;
- f. obscene gestures;
- g. intimidation;
- h. behaviour which undermines self-respect or adversely affects performance or working conditions;
- i. false accusations of Harassment motivated by malice or mischief, and meant to cause other harm.

## **4.0 Discipline Policy**

Gymnastics BC has the authority to discipline an individual member, organization member or a member of an organization member for misconduct that occurs during programs or at events or functions within GBC's jurisdiction.

### **4.1 Jurisdiction**

If Gymnastics BC receives a complaint that involves allegations that may be of an illegal nature, it will ensure that the allegations have been reported, or will itself immediately report them, to the appropriate authority(s). The Association will cooperate fully with and take direction from the authority with which jurisdiction over the allegations reside.

#### **4.1.1 Within Gymnastics BC's Jurisdiction**

Misconduct within the parameters outlined below falls under this policy:

- a. misconduct or an incident that occurs on the field of play during a GBC event will be dealt with in accordance to the applicable Code of Points;
- b. misconduct between members of 2 different clubs, when a complaint is filed by one club against another club;
- c. misconduct by a member of the GBC Board or a GBC Committee;
- d. misconduct by an official at the GBC event or function;



- e. misconduct by athletes, coaches, managers or other volunteers named to a GBC provincial team will be dealt with in accordance with Team BC policy;
- f. in the case of an accusation of discrimination or harassment by any member of GBC;
- g. misconduct occurring at any time by any member that is likely to endanger the reputation or hinder the interests of the association.

### **4.1.2 Outside of Gymnastics BC Jurisdiction**

Gymnastics BC will not be involved in discipline for incidents of misconduct as outlined below:

- a. incidents occurring outside of the field of play at GBC-sanctioned events will be the responsibility of the member club;
- b. incidents within the jurisdiction of a Member Club, unless a complaint is filed as a harassment or discrimination accusation {see 4.1.1 (f)};
- c. at a non-GBC-sanctioned event;
- d. within the jurisdiction of a school program;
- e. outside of the sport of gymnastics unless the misconduct fits with 4.1.1 (g) above;
- f. other incidents of misconduct that would reasonably be considered outside the jurisdiction of Gymnastics BC, such as those incidents that falls within the jurisdiction of a legal or regulatory authority or other judicial process. For example, if an incident is within the jurisdiction of law enforcement, Gymnastics BC does not have jurisdiction to intervene.

Gymnastics BC will not act as another level of response for any incident or disciplinary hearing dealt with at the Club or school level and for which the complainant or respondent is unhappy with the resulting decision.

## **4.2 Disciplinary Committees**

A Disciplinary Committee will be struck when necessary at the appropriate level for the misconduct being addressed. The list below confirms the origin of the applicable Disciplinary Committee:

- a. Board of Directors – a Disciplinary Committee of the GBC Board;
- b. GBC Committees – a Disciplinary Committee of the GBC Board;
- c. Athlete Misconduct at a GBC Event – a Disciplinary Committee of the appropriate Technical Committee;
- d. Coach Misconduct at a GBC Event – a Disciplinary Committee of the appropriate Technical Committee;
- e. Officials Misconduct – a Disciplinary Committee of the appropriate Official's or Technical Committee;



- f. Provincial Team Staff or Volunteer Misconduct – a Disciplinary Committee of the appropriate Technical Committee;
- g. Club Misconduct – a Disciplinary Committee of the GBC Board;
- h. GBC Staff Member – to be dealt with by the CEO, or in the case of an accusation against the CEO, by the GBC Board;
- i. Accusation of Discrimination or Harassment Involving a Member – a GBC Disciplinary Committee of appropriate people appointed by the Chair of the GBC Board.

## 5.0 Procedures for Dealing with Complaints or Incidents of Misconduct

### 5.1 Timelines

Complaints or Incident Reports must be filed with ten (10) days of the misconduct occurrence or the event. These are filed by “the complainant”.

### 5.2 Board of Directors

The procedures regarding Directors are contained in the Board of Directors policies.

### 5.3 Filing a Complaint

All reports must be filed in writing, detailing the incident or complaint, the persons involved by name and signed by the individual submitting the report. Anonymous reports or complaints will not be pursued by GBC.

#### **5.3.1 Complaint Forms and Incident Report Forms**

Complaints must be submitted in writing using the *GBC Complaint Form*. Incident Reports from an event or function also must be in writing using the appropriate event *Incident Report Form*.

#### **5.3.2 Submission and Initial Steps Upon Receipt of Complaint or Incident Report**

Complaints should be submitted to the GBC CEO who will first ensure that the complaint or report is complete and filed in accordance with these policies. Based on the information received, the CEO, in consultation with the Technical Director and/or Board Chair, will then:

- a. forward the complaint or incident report to the appropriate Disciplinary Committee for action; or
- b. take appropriate steps to deal with the complaint or incident report without forwarding to a committee; or



- c. refer the complaint or incident report to the appropriate Member Club for their action; or
- d. dismiss the complaint or incident report outright as not providing enough information or adequate merit, based on these policies, to proceed.

### **5.3.3 Responsibility for the Costs of Filing and Dealing with Complaints**

- a. The complainant shall be responsible for all costs associated with their interaction with the complaint process. This includes any cost associated with filing a complaint or incident report, travel and accommodation to attend a disciplinary hearing, submitting an appeal or travel and accommodation to attend an appeal hearing, including legal or any other type of representation.
- b. The respondent shall be responsible for all costs associated with their interaction with the complaint process. This includes any cost associated with responding to a complaint or incident report, travel and accommodation to attend a disciplinary hearing, submitting an appeal or travel and accommodation to attend an appeal hearing, including legal or any other type of representation.
- c. Gymnastics BC shall be responsible for the costs associated with administration of the process including the hosting of the electronic or in-person disciplinary hearing or electronic or in-person appeal hearing, as well any travel or accommodation costs for the disciplinary or appeal committee members, GBC staff support or GBC legal representation.

### **5.3.4 Complaints of Discrimination or Harassment**

Discrimination or Harassment Complaints must be filed in writing with the CEO who will act as the Advisor for the complaint, and informally support the complainant during the process.

If the complainant is a minor, or someone otherwise unable to speak for his or herself, the complaint may be brought forward by a "Responsible Adult." The Responsible Adult will have the right to act on behalf of the Complainant throughout the complaint process, including:

- a. making a Complaint;
- b. receiving all notices on behalf of the Complainant; and
- c. being present at all dealings with the Complainant.

**5.3.4.1 External Investigators** - Due to the sensitive nature of discrimination or harassment complaints and the need to document information from all parties, GBC may assign an external investigator to separately speak with both the complainant and respondent to ensure that all pertinent information is captured. This report will be submitted to the Disciplinary Committee and copied to the complainant and respondent at least 5 days prior to the hearing.



### **5.3.5 Filing a Human Rights Complaint**

If a Complainant initiates proceedings under the BC Human Rights Code with respect to the same incident(s) which is the subject matter of a Complaint under this policy, the Complainant shall be deemed to have withdrawn the Complaint filed under this GBC policy and the process under this policy will cease.

### **5.4 *Advising the Accused of the Complaint or Incident Report Information***

The individual against which a complaint or an incident report has been filed will be informed as soon as possible after receipt of the information, unless the complaint or incident report is dismissed by the CEO or referred to the applicable Member Club. If the individual is a minor, all conversations and correspondence must include the parent or guardian of the minor.

The accused, referred to as the respondent, will be provided with a copy of the *Conduct and Discipline Policy*, as well as the written complaint or incident report.

The respondent's club will also be informed of the complaint or incident report received, but will not be provided with a copy of the material by GBC. If the respondent chooses to share the information, that is their prerogative.

### **5.5 *The Disciplinary Committee***

If the Complaint or Incident Report is referred to a Disciplinary Committee, the CEO or Technical Director will advise the appropriate group that a complaint or incident report outlining an issue that must be dealt with by a Disciplinary Committee has been received.

A Disciplinary Committee will be struck with at least 3 and no more than 5 members. The Disciplinary Committee Chair may vote. Any Disciplinary Committees may have one member who is not from the originating committee, if external expertise is needed. The appointing group will name the Committee Chair.

No person named to a Disciplinary Committee shall have been involved with the complaint, incident or disciplinary matter or have any direct link to the complainant or respondent.



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## 6.0 Disciplinary Hearings and Decisions

### 6.1 *The Hearing*

The Disciplinary Hearing will be called by the committee chair on a timely basis, but within no more than 21 days after the complaint is received.

#### **6.1.1 Hearing Procedures**

- a. The Disciplinary Committee may choose to meet in person or electronically, but if the meeting is electronic, all members and the complainant and respondent must have two-way audio contact with all other persons attending the meeting;
- b. All members of the committee and the respondent must have copies of all written materials;
- c. The respondent and complainant will have the right to be represented by legal counsel at any stage of the process at their own expense;
- d. The individual who submitted the complaint or incident report may choose to or be requested by the Chair to augment their written information by speaking at the Hearing and answering committee questions. The respondent may listen to this testimony;
- e. The respondent will be given an opportunity to speak to the complaint or incident report with the committee and to answer committee questions;
- f. The complainant and respondent, and their representatives will not be given any opportunity to engage with each other during the hearing and will be excused prior to deliberations;
- g. The committee will then deliberate to reach a decision;
- h. The respondent must be informed of the decision, in writing, within 72 hours of the Disciplinary Hearing unless their recommendation has been forwarded to the Board of Directors as per 5.2.2.3 below, in which case the respondent will be advised of the next steps in the process.

### 6.2 *Disciplinary Committee Authority and Decisions*

#### **6.2.1 Misconduct Accusation Not Upheld**

If an accusation of misconduct is not upheld by the Discipline Committee, the response from the committee to the accused will be filed at the office for a minimum of 10 years. The response letter will include the rationale from the committee for not upholding the complaint. All other information will be destroyed.



### **6.2.2 Misconduct Accusation Upheld**

Discipline committees have a range of possible actions that can be taken if the accusation of misconduct is upheld and depending on the situation and the severity of the misconduct. These may include:

#### **6.2.2.1 Program Activity**

- a. verbal reprimand and no further action;
- b. written reprimand, to be filed with the office for a minimum of 10 years;
- c. written reprimand and probationary status in program participation, to be filed with the office for a minimum of 10 years;
- d. recommendation to the GBC Board of Directors for suspension from program activity for no more than the remainder of the membership year, with no loss of membership, and to be filed with the office for a minimum of 10 years;
- e. referral to the Board of Directors with recommendations for additional disciplinary action.

#### **6.2.2.2 Committees and the Board of Directors**

- a. verbal reprimand and no further action;
- b. written reprimand, to be filed with the office for a minimum of 10 years;
- c. opportunity for voluntary resignation;
- d. removal from committee membership;
- e. removal from the Board of Directors in accordance with Bylaw 7.11

#### **6.2.2.3 Disciplinary Actions Affecting Membership Status**

Any recommendation by a Disciplinary Committee to suspend from program or membership or expel an individual from the association must be forwarded to the Board of Directors. The Board will decide, through enactment of Bylaw 3.6, if the recommendation will be upheld.

If the Board declines to support program or membership suspension or membership expulsion, the Disciplinary Committee will be informed and asked to invoke a lesser penalty within that committee's jurisdiction.

### **6.3 *Discipline Material***

After completion of its duties, the Discipline Committee will turn over all copies of the Complaint, Incident Report and/or other related materials to GBC for safe-keeping in a secure location for a minimum of 10 years.





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## 7.0 Appeal Process

### 7.1 *Submission of Appeals*

An appeal must be filed in writing within 21 days of the decision of the Disciplinary Committee in the original complaint or incident, using the *Appeal Submission Form*, but only in accordance to the following:

#### **7.1.1 Appeal by a Respondent**

The respondent may appeal any disciplinary action taken in the case of program activity, removal from a committee or discrimination or harassment, or if the process to deal with the complaint did not follow the GBC Disciplinary Policies.

#### **7.1.2 Appeal by a Complainant**

A complainant may appeal a Disciplinary Committee decision if the process to deal with the complaint did not follow the GBC Disciplinary Policies.

If a complaint was not upheld, or if a complaint was upheld but the complainant disagrees with the type of disciplinary action taken against the respondent, there is no appeal by the complainant allowed.

### 7.2 *The Appeal Committee*

An Appeal Committee of 3 will be struck by the GBC CEO within 10 days of receiving the Appeal. No person named to the Appeal Committee shall have been involved with the original disciplinary matter or committee, or have any direct link to the complainant or respondent.

An Appeal Committee may have up to 2 persons external to the association if external expertise is needed. The Appeal Committee chair will be appointed by the GBC CEO.

### 7.3 *Validating the Grounds for an Appeal*

The Appeal Committee Chair will review the appeal submission and, in his or her sole discretion, determine if there are grounds for appeal based on breaching the GBC policies and procedures. If found, the Appeal Hearing process will be initiated.

Any appeal by the respondent based on disciplinary action taken will be dealt with at an Appeal Hearing.



### **7.4 The Appeal Hearing**

The Appeal Hearing will be called by the committee chair on a timely basis, but within no more than 21 days after the appeal is received.

- a. The Appeal Committee may choose to meet in person or electronically, but if the meeting is electronic, all members and the complainant and respondent must have two-way audio contact with all other persons attending the meeting.
- b. All members of the committee and the complainant and respondent must have copies of all written materials, including the original documentation and the appeal information.
- c. The respondent and complainant will have the right to be represented by legal counsel at any stage of the process at their own expense;
- d. The appellant will be given first opportunity to speak to their appeal and answer committee questions. The 2nd party may listen to this testimony.
- e. The 2<sup>nd</sup> party will be given an opportunity to respond to the appeal with the committee and to answer committee questions.
- f. The complainant and respondent, and their representatives will not be given any opportunity to engage with each other during the appeal hearing and will be excused prior to deliberations.
- g. The committee will then deliberate to reach a decision.

### **7.5 Appeal Decision**

The Appeal Panel may, by a majority vote of its members:

- a. dismiss the appeal and uphold the decision of the Discipline Committee;
- b. substitute its own decision for that of the Discipline Committee; or
- c. remit the Complaint for further investigation and/or for re-determination in accordance with its directions.

The appellant must be informed of the decision, in writing, within 72 hours of the Appeal Hearing. If the appeal required the involvement of the two parties to the original complaint, the other party will also be informed of the decision.

The Appeal Panel's decision is final.

### **7.6 Appeal Material**

After completion of its duties, the Appeal Committee will turn over all copies of the appeal information and other materials to GBC for safe-keeping in a secure location for a minimum of 10 years.



# GBC COMPLAINT FORM

(2-page form)

## Section 1: Person Filing the Complaint

Name: \_\_\_\_\_ Date of Filing: \_\_\_\_\_

Mailing address: \_\_\_\_\_ City, Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone number (day): \_\_\_\_\_ Phone number (evening) \_\_\_\_\_ Member Club: \_\_\_\_\_

Email: \_\_\_\_\_

Parent / Guardian Submission: Is This Complaint Being Made on Behalf of a Minor?  No  Yes

If yes, provide the name and age of the minor: \_\_\_\_\_

## Section 2: Person Against Whom the Complaint is Being Made

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Mailing address: \_\_\_\_\_ City, Province: \_\_\_\_\_ Postal Code: \_\_\_\_\_

Phone number (day): \_\_\_\_\_ Phone number (evening) \_\_\_\_\_ Member Club: \_\_\_\_\_

Email: \_\_\_\_\_

Parent / Guardian Submission: Is This Person is a Minor?  No  Yes

If Known, Name of Parent or Guardian of This Minor: \_\_\_\_\_

**Complaint: Describe the incident(s) of misconduct in detail, including dates, locations, witnesses and all pertinent information** (attach additional pages if necessary)



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Is any supporting documentation available? Please specify:

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Please outline any additional information that would be helpful in investigating this complaint.

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### GBC Response

Date received:	Date acknowledged:	Acknowledged by:	Further information sought? <input type="checkbox"/> No <input type="checkbox"/> Yes
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Is Complaint Complete?  No  Yes Date Complete:

If no - advise of what is still required

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Does the Complaint Meet the Requirements of the GBC Discipline Policy? (*GBC jurisdiction, timing of submission, not being dealt with by a member club.*)  No  Yes

If no – advise that complaint will not go forward:  Yes Date:

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Next Steps:

1. Notification of Respondent:  Yes Date:
2. Committee with Oversight:
3. Date of Committee Notification:
4. Establishment of Disciplinary Committee:  Yes Date:
5. Date of Disciplinary Hearing:
6. Decision Submitted to Respondent and Complainant:  Yes Date:
7. Decision and Materials Received by GBC office:  Yes Date:

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GBC Name:	GBC Signature:	Date:
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