

## CODE OF CONDUCT AND DISCIPLINARY PROCEDURE

Water Polo West has developed this Code of Conduct and Disciplinary Procedure for the benefit and protection of individuals associated with Water Polo West. Part I consists of a Code of Conduct outlining standards of behaviour for all individuals associated with Water Polo West. Part II is a Disciplinary Procedure explaining how to submit and adjudicate complaints regarding violations of the Code of Conduct or other applicable Water Polo West policies. Water Polo West accepts all language contained in the British Columbia Universal Code of Conduct (BC UCC). A copy of the code is hosted [here](#).

### Definitions

1. In this Policy:

- a. **Bylaws** means the duly approved bylaws of WPW as may be amended from time to time
- b. **Case Manager** means a neutral third party assigned to review Complaints and assist with hearing procedures and administration
- c. **Code** means the Code of Conduct forming Part I of this policy as may be amended from time to time
- d. **Complainant** means the person alleging a potential violation of WPW's Code of Conduct or other applicable WPW policies
- e. **Complaint** means a report by an individual or group delivered to WPW about a potential violation of this Code of Conduct or other applicable WPW policies
- f. **Hearing** means the procedure by which Complaints are adjudicated before a Panel in accordance with the Disciplinary Procedure
- g. **Member** means all athletes, coaches, managers and volunteers affiliated with any member as defined in the Bylaws as well as all individuals employed by, engaged in activities with, or in attendance at events sanctioned by WPW, including but not limited to: athletes, coaches, convenors, facilitators, officials, volunteers, managers, persons affiliated with WPW member clubs, directors and employees of WPW, parents/guardians of youth athletes and spectators
- h. **Minor Infraction** means a potential violation of this Code of Conduct determined to be minor by the Case Manager and which can typically be handled by a person with authority. Minor Infraction is further defined in this document
- i. **Major Infraction** means a potential violation of this Code of Conduct determined to be major by the Case Manager and which is typically handled by a Hearing and decision by a Panel. Major Infraction is further defined in this document
- j. **Panel** means panel of individuals appointed by the Case Manager to adjudicate a Hearing
- k. **Parties** means the Complainant, Respondent, and any other Members or persons affected by a Complaint
- l. **Procedure** means the Disciplinary Procedure forming Part II of this policy as may be amended from time to time
- m. **Respondent** means the individual identified in a Complaint that is alleged to have violated this Code of Conduct or other applicable WPW policies
- n. **WPC** means Canadian Water Polo Association Inc. d.b.a. Water Polo Canada
- o. **Water Polo West or WPW** means Water Polo West Assn.

## **Purpose**

2. To ensure a safe and positive environment at all WPW programs, activities, and events by providing minimum standards of appropriate behaviour consistent with WPW's values including, but not limited to: sportsmanship, equality, inclusion, fairness, participation, teamwork and fun.
3. WPW prohibits unlawful discrimination and is committed to ensuring everyone is treated with dignity and respect.
4. Where appropriate, this Code and Procedure provide for the submission, investigation and adjudication of complaints, and the imposition of disciplinary measures in proceedings consistent with the principles of natural justice.

## **Application of the Code of Conduct**

5. The Code applies to Members' conduct during WPW business, programs, activities, and events including, but not limited to: competitions, tournaments, matches, games, practices, tryouts, training camps, meetings and travel, associated with WPW.
6. The Code also applies to Members' conduct outside of WPW business, activities, and events when such conduct adversely affects relationships within WPW (and its work or sporting environment) or when it is detrimental, or perceived to be detrimental, to the image and reputation of WPW. Such applicability will be determined by WPW at its sole discretion.
7. Members who violate this Code during a competition or event may be removed from the competition or pool area under the terms of any disciplinary procedure in place for that particular event or competition. The official must delay the game until the Member complies with the ejection. Members may be subject to additional discipline under the terms of this Code and Procedure.
8. Where applicable, this Code governs the conduct of employees of WPW. However, an employee of WPW found to have engaged in acts of violence or harassment against any other employee, worker, contractor, Member, customer, supplier, client, or other third party during business hours or at any WPW event, or to have otherwise violated the Code will be subject to appropriate disciplinary action subject to the terms of WPW's Human Resources Policy in accordance with the employee's employment agreement (where applicable), and not the disciplinary procedures outlined in this document.

## **Responsibilities**

9. All Members are responsible for maintaining and enhancing the dignity and self-esteem of other Members and individuals by:
  - a. Demonstrating respect to all people and classes of people regardless of physical characteristics, athletic ability, age, colour, race, citizenship, ancestry, place of origin, religion, mental or physical disability, family status, marital status, socioeconomic status, gender identity or expression, sex or sexual orientation.
  - b. Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or other Members
  - c. Consistently demonstrating a spirit of sportsmanship, leadership, integrity, and ethical conduct

- d. Not engaging in discrimination within the meaning of the *Human Rights Code*, R.S.B.C. 1996, c. 210, as may be amended from time to time
  - e. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory
  - f. Consistently treating individuals fairly and reasonably
  - g. Ensuring adherence to the rules of water polo and the spirit of those rules
10. All Members are responsible for refraining from behaviour that can be considered harassment, violence, and sexual harassment.
11. **Harassment** means any comment or conduct directed towards an individual or group – both face-to-face and electronically - which is offensive, abusive, racist, sexist, degrading, or malicious. Types of behaviour that constitute harassment include, but are not limited to:
- a. Written or verbal abuse or threats
  - b. The display or circulation of material which is offensive or which one ought to know is offensive in the circumstances
  - c. Offensive remarks, jokes, comments, innuendo, or taunts
  - d. Leering or other suggestive or obscene gestures
  - e. Psychological abuse including abuses of power and trust
  - f. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect social conditions
  - g. Practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance
  - h. Any form of bullying
  - i. Any form of hazing where hazing is defined as potentially humiliating, degrading, abusive, or dangerous activity expected of a junior-ranking athlete by a more senior teammate, which does not contribute to either athlete's positive development, but is required to be accepted as part of a team, regardless of the junior-ranking athlete's willingness to participate. This includes, but is not limited to, any activity, no matter how traditional or seemingly benign, that sets apart or alienates any teammate based on seniority on the team
  - j. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing
  - k. Behaviours such as those described above that are not directed towards a specific individual or group but have the same effect of creating a negative or hostile environment
  - l. Retaliation or threats of retaliation against an individual who reports violations of this Code or other applicable WPW policies to WPW
12. **Violence** means the exercise of physical force by one person against another that causes or could cause physical injury; an attempt to exercise physical force against an individual that could cause physical injury; or a statement or behaviour that is reasonable for a person to perceive as a threat to exercise physical force against them that could cause physical injury. Types of behaviour that constitute violence include, but are not limited to:
- a. Verbal threats to attack

- b. Sending threatening messages or emails
  - c. Making threatening physical gestures
  - d. Brandishing or wielding a weapon
  - e. Hitting or other forms of intentional unwanted touching
  - f. Throwing objects
  - g. Any attempt to engage in the type of conduct outlined above
13. **Sexual Harassment** means unwelcome sexual comments and sexual advances, requests for sexual favours, or conduct of a sexual nature, either face-to-face or electronically. Types of behaviour that constitute sexual harassment include, but are not limited to:
- a. Sexist jokes or comments of a sexual nature
  - b. Display or circulation of sexually offensive material
  - c. Sexually degrading words used to describe a person
  - d. Inquiries or comments about a person's sex life
  - e. Unwelcome sexual flirtations, advances, or propositions
  - f. Unwanted physical contact of a sexual nature

### **Doping and Drug Use**

14. Members must abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, WPW adopts and adheres to the Canadian Anti-Doping Program. Any infraction under this Program will be considered an infraction of this Code and may be subject to further disciplinary action, and possible sanction, pursuant to the Disciplinary Procedure. WPW will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program imposed by any other sport organization.
15. Members must refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport.

### **Inappropriate Behaviour**

16. Members must avoid behaviour considered to be inappropriate. Particularly, Members must:
- a. Refrain from the use of power or authority in an attempt to inappropriately influence another person
  - b. Not be in possession of or use any illegal substance and/or performance enhancing drugs

As well, Members are responsible for:

- c. Respecting the property of others and not wilfully causing damage
- d. Adhering to all applicable laws and regulations
- e. Promoting water polo in a constructive and positive manner
- f. If under the legal age to consume alcohol or cannabis in the location of a WPW

- sanctioned activity, not possessing or consuming alcohol or cannabis
- g. If over the legal age to consume alcohol or cannabis in the location of the WPW sanctioned activity, not supplying alcohol or cannabis to minors; avoiding the consumption of alcohol or cannabis in the presence of minors; and otherwise taking reasonable steps to responsibly consume alcohol or cannabis in a way that does not negatively affect the public image of WPW and the sport of water polo in British Columbia
  - h. Complying, at all times, with the WPW's Bylaws, policies, procedures, rules, and regulations, as adopted and amended from time to time

### **Directors, Committee Members, Volunteers, and Staff**

17. In addition to ss. 9-16 above, WPW's directors, committee members, employees, volunteers, and staff have additional responsibilities to:
  - a. Function primarily as a WPW director, WPW committee member, volunteer, employee or staff member and not as a member of any other group or constituency
  - b. Act with honesty, integrity, and utmost good faith, and conduct themselves in a manner consistent with the nature of their responsibilities
  - c. Ensure that WPW's financial affairs are conducted in a responsible and transparent manner
  - d. Conduct themselves openly, professionally, lawfully and in the best interests of WPW
  - e. Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which WPW is incorporated
  - f. Exercise discretion and respect the confidentiality of sensitive issues
  - g. Be independent and impartial and not influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
  - h. Exhibit decorum appropriate to both the circumstances and position
  - i. Be fair, equitable, considerate, and honest in all dealings with others
  - j. Ensure that all Members are given a sufficient opportunity to express opinions, and that all opinions are given due consideration and weight
  - k. Respect the decisions of the majority and resign if unable to do so Attend meetings and be diligent in preparation for, and participation in, meetings
  - l. Know and understand WPW's Bylaws and policies
  - m. Not engage in a sexual or intimate relationship with any athlete under 18 years of age, or a sexual or intimate relationship with any athlete over 18 years of age if in a position of power, trust, or authority over the athlete
  - n. Comply with WPW's Bylaws and all applicable policies

### **Coaches**

18. In addition to ss. 9-16 above, coaches affiliated with WPW have additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the personal and athletic development of an athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it, whether intentionally or unintentionally. Thus coaches

have additional responsibilities to:

- a. Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the athletes involved
- b. Prepare athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm athletes
- c. Avoid compromising the present and future health of athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of athletes' medical and psychological treatments
- d. Support the coaching staff of a training camp, provincial team, or national team, should an athlete qualify for participation with one of these programs
- e. Provide athletes (and the parents/guardians of youth athletes) with the information necessary to be involved in the decisions that affect the athlete
- f. Act in the best interest of athletes' holistic development as people
- g. Respect other coaches and persons attending WPW sanctioned events
- h. Meet the highest standards of credentials, integrity and suitability, including but not limited to such considerations established by WPW
- i. Self-report any ongoing criminal investigation, conviction, or existing bail conditions, including those for violence, crimes involving minor, or illegal substances
- j. Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances and, in the case of minors, alcohol, cannabis and/or tobacco
- k. Respect athletes participating with other clubs and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the athletes
- l. Not engage in a sexual relationship with any athlete under 18 years of age, or an intimate or sexual relationship with any athlete over 18 years of age if the coach is in a position of power, trust, or authority over the athlete
- m. Recognize the power inherent in the position of coach and respect and promote the rights of all participants in sport. This is accomplished by establishing and following procedures for confidentiality, informed participation, and fair and reasonable treatment. Coaches have a special responsibility to respect and promote the rights of participants who are in a vulnerable or dependent position and less able to protect their own rights
- n. Dress professionally, neatly, and inoffensively
- o. Use inoffensive language, taking into account the audience being addressed
- p. Comply with WPW's Bylaws and all applicable policies

### **Athletes**

19. In addition to ss. 9-16 above, WPW's athletes have additional responsibilities to:

- a. Report medical issues in a timely fashion, when such problems may limit their

- ability to travel, practice, or compete; or in the case of carded athletes, interfere with their ability to fulfill requirements under the Athlete Assistance Program
- b. Participate and appear on-time, well-nourished, and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and events
  - c. Honestly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
  - d. Adhere to WPW's rules and requirements regarding clothing and equipment
  - e. Respect other athletes and individuals present at WPW sanctioned events
  - f. Act in a sportsmanlike manner and refrain from displaying violence, foul language, or inappropriate gestures to other athletes, officials, coaches, or spectators
  - g. Dress in a manner representative of WPW; focusing on neatness, cleanliness, and discretion
  - h. Comply with WPW's Bylaws and all applicable policies and, when applicable, additional rules as outlined by coaches, league officials, or clubs

## **Officials**

20. In addition to ss. 9-16 above, WPW's officials have additional responsibilities to:
- a. Maintain and update their knowledge of the rules and rules changes
  - b. Work within the boundaries of their position while supporting the work of other officials
  - c. Act as an ambassador of WPW and its values
  - d. Agree to enforce and abide by national and provincial rules and regulations
  - e. Take ownership of actions and decisions made while officiating
  - f. Respect the rights, dignity, and self-worth of all individuals
  - g. Not publicly criticize other officials or any water polo club or association
  - h. Assist with the development of less-experienced officials and minor officials
  - i. Conduct themselves openly, impartially, professionally, and in good faith in the best interests of WPW, athletes, coaches, other officials, and spectators
  - j. Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
  - k. Respect the confidentiality required by issues of a sensitive nature, which may include ejections, defaults, forfeits, disciplinary procedures, appeals, and specific information or data about Members
  - l. Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform the assignor or association at the earliest possible time
  - m. When writing reports, faithfully set out the true facts and not attempt to advocate for or justify any decisions
  - n. Dress in proper attire for officiating
  - o. Comply with WPW's Bylaws and all applicable policies

### **Spectators and Parents/Guardians of Youth Athletes**

21. In addition to ss. 9-16 above, spectators and parents/guardians of youth athletes at WPW events have additional responsibilities to:
- a. Respect the decisions and judgments of officials, and encourage athletes to do the same
  - b. Encourage athletes to play by the rules and to resolve conflicts in a sportsmanlike manner without resorting to hostility or violence
  - c. Condemn the use of violence in any form
  - d. Never single-out or ridicule a participant
  - e. Provide positive comments that motivate and encourage participants
  - f. Understand that officials do not communicate with spectators and only speak to coaches and participants, so spectators and parents/guardians of youth athletes are encouraged to discuss their concerns with coaches after the match
  - g. Recognize that officials, organizers and staff act in good faith, to the best of their abilities and in the best interests of WPW, its members, the athletes, and the sport of water polo as a whole
  - h. Support all efforts to remove verbal and physical abuse, coercion, intimidation and sarcasm
  - i. Respect and show appreciation for the efforts of all competitors, coaches, officials and other volunteers
  - j. Refrain from violence, foul language, or inappropriate gestures

### **Disciplinary Procedure - Application**

22. The Disciplinary Procedure applies to Complaints regarding Members' conduct during WPW business, activities, and events including, but not limited to, competitions, tournaments, games, matches, practices, tryouts, training camps, and travel associated with WPW.
23. The Disciplinary Procedure does not prevent discipline from being applied, during a competition or event, according to specific procedures in place for that particular event.
24. Members may also be subject to the disciplinary rules and processes of other associations, clubs, or organizations. Where appropriate, WPW will respect decisions made by those bodies.

### **Reporting a Complaint**

25. Any person, including but not limited to Members, parents, athletes, club or organization representatives, coaches, or representatives of WPW, is encouraged to report violations of the Code or other relevant policy of WPW. These reports will be considered Complaints.
26. Complaints must be in writing, and must be reported to WPW within fourteen (14) days of the alleged violation.
27. A Complainant wishing to file a Complaint outside of the fourteen (14) day period must provide a written statement giving reasons for an exemption to this limitation. The decision to accept, or not accept, the Complaint outside of the fourteen (14) day period will be at the sole discretion of WPW. This decision may not be appealed.

28. Complainants must identify themselves in the written Complaint.

### **Anonymous Complainants**

29. Complaints wherein the Complainant wishes to remain anonymous during the discipline process may be accepted as an Anonymous Complaint at the sole discretion of WPW.
30. Where WPW exercises its discretion accept an Anonymous Complaint, WPW shall appoint an Anonymous Complainant's Advocate, to represent the Complainant's interests.
- a. The Anonymous Complainant's Advocate will be a volunteer role and will be appointed by WPW after ensuring that the individual has no other personal or professional interest in the Complaint
  - b. The Anonymous Complainant's Advocate will be responsible to liaise with WPW, represent the Anonymous Complainant's interests in the Complaint, and receive information about the status and outcome of procedures and provide that information to the Anonymous Complainant

### **Mediation**

31. Before any Complaint proceeds to a Hearing, it will first be reviewed by WPW's Executive Director (or designate) with the objective of resolving the Complaint informally and/or with the assistance of a mediator. Disputes that are resolved by mediation may not be appealed or subsequently re-submitted as a Complaint under this Disciplinary Procedure.

### **Complaint Procedure**

32. Should mediation fail to resolve the Complaint, WPW's Executive Director (or designate) will appoint a Case Manager to oversee management and administration of a Complaint submitted in accordance with this Procedure. The Case Manager is not required to be associated with WPW. The Case Manager has an overall responsibility to ensure procedural fairness is respected at all times, and to implement this Procedure in a timely manner. More specifically, the Case Manager has a responsibility to:
- a. Determine whether the Complaint is frivolous or vexatious, and within the jurisdiction of WPW. If the Case Manager determines the Complaint is frivolous or vexatious or outside WPW's jurisdiction, the Complaint will be dismissed immediately. The Case Manager's decision to accept or dismiss a Complaint may not be appealed
  - b. Determine if the Complaint is a Minor or Major Infraction
  - c. Appoint the Panel, if necessary, in accordance with this Procedure
  - d. Coordinate all administrative aspects of the Complaint
  - e. Provide administrative assistance and logistical support to the Panel as required
  - f. Provide any other service or support that may be necessary to ensure the fair and timely resolution of the Complaint
33. The Case Manager will inform the Parties if the incident will be dealt with as a Minor or Major Infraction, and how adjudication of the Complaint will proceed.

## **Jurisdiction**

34. This Procedure does not prevent an appropriate person having authority (such as a coach or team manager) from taking immediate, informal or corrective action in response to behaviour that constitutes an infraction. Further sanctions may be applied in accordance with this Procedure.
35. This Procedure does not apply to the extent it is inconsistent with any dispute resolution procedure contained in a valid and applicable contract.
36. Any infractions or Complaints occurring during competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, activity, or event only. Further sanctions may be applied but only after review of the matter in accordance with this Procedure.

## **Minor Infractions**

37. Minor Infractions are isolated incidents of falling short of the expected standards of conduct that generally do not result in harm to others, WPW, or to the sport of water polo. Examples of Minor Infractions can include, but are not limited to, a single incident of:
  - a. Disrespectful, offensive, abusive, racist, or sexist comments or behaviour
  - b. Disrespectful conduct such as outbursts of anger
  - c. Bullying
  - d. Conduct contrary to the values of WPW
  - e. Being late for, or absent from, WPW events and activities at which attendance is expected or required
  - f. Non-compliance with WPW's policies, procedures, rules, or regulations
  - g. Non-serious violations of WPW's Code of Conduct
38. All disciplinary situations involving Minor Infractions will be dealt with by the appropriate person who has authority over both the situation and the individual involved. If applicable, discipline specific to the particular event or competition shall be applied. The person in authority can be, but is not restricted to being, an official, staff, coach, event organizer, or WPW decision-maker.
39. Provided the Respondent is informed of the nature of the alleged infraction and has an opportunity to provide information concerning the incident, procedures for dealing with Minor Infractions will be informal (relative to the procedures for Major Infractions) and will be determined at the discretion of the person in authority responsible for discipline of such infractions.
40. Penalties for Minor Infractions, may include one or more of the following:
  - a. Verbal or written reprimand from WPW
  - b. Verbal or written apology from one Party to another
  - c. Mandated service or other voluntary contribution

- d. Removal of certain privileges of membership for a designated period of time
  - e. Suspension from WPW sanctioned competition, activities, or events
  - f. Fines
  - g. Any other sanction considered proportionate to the offense
  - h. If applicable, discipline specific to the event or competition at which the infraction took place
41. Minor Infractions that result in discipline will be recorded and records will be maintained by WPW. Repeated Minor Infractions may result in further incidents being dealt with as a Major Infraction.

### **Major Infractions**

42. Major Infractions are instances of falling short of the expected standards of conduct that result, or have the potential to result, in harm to other persons, to WPW, or to the sport of water polo. Examples of Major Infractions include, but are not limited to:
- a. Repeated minor infractions
  - b. Any incident of hazing or patterns of repeated bullying
  - c. Physical abuse or Violence
  - d. Behaviour that constitutes Harassment or Sexual Harassment
  - e. Pranks, jokes, or other activities that endanger the safety of others
  - f. Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition
  - g. Conduct that intentionally damages WPW's public image, credibility, or reputation
  - h. Blatant disregard for WPW's Bylaws, policies, rules, and regulations
  - i. Intentionally damaging property or improperly handling WPW monies
  - j. Abuse of trust or positions of authority
  - k. Inappropriate consumption of alcohol or cannabis, any use or possession of alcohol or cannabis by minors, or use or possession of illicit drugs and narcotics
  - l. Any possession or use of banned performance enhancing drugs or methods
43. Major Infractions occurring within competition may be dealt with immediately, if necessary, by an appropriate person having authority. In such situations, disciplinary sanctions will be for the duration of the competition, activity, or event only. If applicable, discipline specific to the particular event or competition shall be applied. Further sanctions may be applied but only after review of the matter in accordance with this Procedure.
44. Major Infractions will be handled using the Hearing Procedure section described in this Procedure, except where a dispute resolution procedure contained in a valid and applicable takes precedence.

### **Suspension Pending a Hearing\**

45. WPW may determine that an alleged incident is of such seriousness as to warrant immediate suspension of a Member pending a Hearing and a decision of the Panel or, if applicable, conclusion of legal proceedings.

## Hearing Procedure

46. The Case Manager will notify the Parties that the Complaint is potentially meritorious and that the incident will go to a Hearing. The Case Manager will then decide the procedure, format and timelines under which the Complaint will be adjudicated. These procedural decisions are at the sole discretion of the Case Manager and may not be appealed.
47. The Case Manager will appoint a Panel, which will consist of a single Adjudicator, to hear the Complaint. In extraordinary circumstances, and at the discretion of the Case Manager, a Panel of three persons may be appointed to hear the Complaint. In this event, the Case Manager will appoint one of the Panel's members to serve as Chair.
48. If the Respondent acknowledges the facts of the incident, the Respondent may waive their right to a Hearing, in which case the Panel will determine the appropriate disciplinary sanction. The Panel may still hold a Hearing for the purposes of determining an appropriate sanction. The Panel will take the Respondent's decision to admit responsibility into consideration in arriving at an appropriate sanction.
49. If a Party chooses not to participate in the Hearing, the Hearing may still proceed in their absence.
50. As determined by the Panel, the Hearing may involve an oral in-person Hearing, an oral Hearing by telephone, a Hearing based on a review of written submissions and documentary evidence, or any combination of these methods. The Hearing will be governed by the procedures that the Case Manager deems appropriate in the circumstances, provided that:
  - a. The Parties will be given at least 14 days' written notice of the day, time, and place of the Hearing
  - b. Copies of any written documents which the Parties wish to have the Panel consider will be provided to the Case Manager and all Parties in advance of the Hearing
  - c. The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense and, if the Party is a minor, the Party may be accompanied by a parent/guardian
  - d. The Panel may request that any other individual, including the Complainant, participate and give evidence at the Hearing
  - e. The Panel may allow as evidence at the Hearing any material oral or documentary evidence relevant to the Complaint, but may exclude such evidence that is unduly prejudicial and place such weight on any evidence that it deems appropriate
  - f. If the Panel is made up of three persons, the decision will be by a majority vote
51. If a decision may affect another Member, to the extent that the other Member would

have recourse to a Complaint in their own right, that Member will be added as a party to the Complaint in question and will be bound by the decision. The Case Manager will make arrangements for the other Member(s) to join the proceedings.

52. In fulfilling its duties, the Panel may obtain independent advice.

### **Decision**

53. After Hearing a Complaint, the Panel will determine whether an infraction has occurred and, if so, what sanctions to be imposed. Within thirty (30) days of the Hearing's conclusion, the Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and WPW. In extraordinary circumstances, the Panel may first issue a verbal or summary decision after the Hearing's conclusion, with the full written decision to follow within thirty (30) days.

### **Sanctions**

54. The Panel may apply one or more of the following disciplinary sanctions:

- a. Verbal or written reprimand from WPW to a Party
- b. Verbal or written apology from one Party to another
- c. Education, training, or counselling
- d. Service or other voluntary contribution
- e. Removal of privileges for a designated period of time
- f. Suspension from WPW sanctioned competitions, activities, or events
- g. Expulsion from membership in WPW
- h. Fines
- i. Withholding of prize money or awards
- j. Suspension of funding from WPW or from other associated sources
- k. Payment of the cost of repairs for property damage
- l. Any other sanction considered proportionate to the offense

55. Unless the Panel decides otherwise, any disciplinary sanctions will begin immediately. Failure to comply with a sanction as determined by the Panel will result in automatic suspension until such time as compliance occurs.

56. Infractions that result in discipline will be recorded and records will be maintained by WPW.

### **Criminal Convictions**

57. A Member's criminal conviction for any of the following crimes will be deemed a Major Infraction under this Policy and will result in automatic expulsion from WPW and/or immediate removal from WPW competitions, programs, activities and events:

- a. Any child pornography offences
- b. Any sexual offences
- c. Any offence of physical or psychological violence
- d. Any offence involving illegal substances

- e. Offences involving minors, exploitation, or abuses of trust

### **Confidentiality**

- 58. The Complaint and Hearing process is confidential and involves only the Parties, the Case Manager, the Panel, and any independent advisors to the Panel. Once initiated and until a decision is issued, none of the Parties may disclose confidential information relating to the Hearing or Complaint to any person not involved in the proceedings.

### **Timelines**

- 59. If the circumstances of the Complaint are such that adhering to the timelines outlined by this Procedure will not allow a timely resolution to the Complaint, the Case Manager or Panel may direct that these timelines be revised.

### **Records and Distribution of Decisions**

- 60. Minor and Major Infractions that result in discipline, as well as any Panel decisions, will be recorded and maintained by WPW.
- 61. WPC and relevant provincial sport associations, as well as any clubs or other organizations with which the Member is affiliated may be advised of any decisions reached by a Panel.
- 62. Decisions are matters of public interest and will be publicly available with the names of the Parties redacted. Names of Members disciplined may be disclosed to the extent necessary to give effect to any sanction imposed. Pursuant to the WPW's Confidentiality Policy, the Panel may determine that disclosing a person's identity would unduly violate privacy and may decide that the decision, or part of the decision, shall be kept confidential.

### **Appeals Procedure**

- 63. The decision of the Panel may be appealed in accordance with WPW's Appeal Policy.