

viaSport Policy	
Policy Type:	Operational
Created:	May 2028
Revised:	October 2024
Reviewed:	Every 2 years
Policy Name:	Discipline & Complaints

1) POLICY STATEMENT

- a) All viaSport personnel are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with viaSport Bylaws, policies, directives, and the Universal Code of Conduct. Irresponsible behavior can result in damage to the integrity of viaSport and sport in British Columbia. Non-compliance may result in disciplinary actions pursuant to this Policy.

2) PURPOSE

- a) To ensure any allegations occurring within viaSport activities and any other alleged breach of governing documents can be reported and managed equitably and fairly.

3) SCOPE

- a) This Policy applies to:
 - i) viaSport Personnel when engaged in viaSport activities.
 - ii) viaSport Personnel when engaged in activities outside of viaSport activities whereas it is determined in the sole discretion of viaSport's CEO that the conduct adversely affects relationships within the organization, is detrimental to the image and reputation of the organization, or upon the acceptance of the organization.
- b) This policy does not apply to complaints under the jurisdiction of any Designated Organization, including but not limited to Provincial Sport Organizations, Disability Sport Organizations, and/or Multi Sport Organizations.

4) DEFINITIONS

- a) Complainant: The party alleging an infraction
- b) Criminal Code: Criminal Code of Canada (Criminal Code, R.S.C. 1985, c. C-46, as amended)
- c) Respondent: The alleged infracting party
- d) Universal Code of Conduct for Maltreatment in Sport (UCCMS): a policy document that sets harmonized rules to be adopted by sport organizations in Canada to advance a respectful sport culture. viaSport is an adopting organization of the UCCMS.
- e) viaSport Activities: business and events including, but not limited to, any meetings, courses and travel associated with viaSport activities.
- f) viaSport Personnel: anyone acting in a capacity supporting the work or representing viaSport, including Board Members, Staff, Contractors, Committee

Members and Advisory Group Members. All viaSport Personnel are considered Participants under the UCCMS.

5) STANDARDS

- a) viaSport will ensure this policy:
 - i) Is in alignment with viaSport Privacy Policy. All information collected as part of the procedure will be handled in accordance with viaSport Privacy Policy.
 - ii) Follows the principals of procedural fairness and natural justice aimed to provide a fair discipline and complaints process which includes a process free from bias, appropriate notice and access to fair hearing(s).
- b) All viaSport personnel must comply with viaSport Bylaws, policies, directives, and the UCCMS.
- c) Any allegations related to the Criminal Code will be referred to the authorities. All viaSport proceedings will be on hold until completion of the criminal proceedings. This does not prevent any provisional measures from being applied by viaSport.
- d) Any allegation outside of viaSport jurisdiction will be referred to the appropriate Designated Sport Organization to handle in accordance with their Discipline and Complaint Policy and Procedures, if appropriate.
- e) The official language available to be used in proceedings is English. viaSport may use the services of an interpreter if needed in their sole discretion.
- f) Confidentiality
 - i) All individuals involved in a disciplinary process will ensure that everything disclosed to them during the course of the process, including but not limited to, the facts of the case, the contents of their deliberations, and the decisions taken, remains confidential with exception to public posted decisions or outcomes as determined on a case by case basis.
 - ii) All proceedings will be closed to the individuals who are named parties, advisors, or representatives unless all parties involved in the proceedings agree to admit to other parties.
- g) All individuals involved in any aspect of the disciplinary process must decline to participate in any meetings concerning a matter in which they are in a real or perceived conflict of interest.
- h) viaSport Personnel found in breach are subject to appropriate disciplinary action, which may include a warning, reprimand, restrictions, suspension or other disciplinary actions up to and including termination.
- i) Either party may appeal sanctions or outcomes of the disciplinary in accordance with viaSport's Appeals Policy.
- j) Records of all written complaints, investigation findings and disciplinary actions will be maintained by viaSport.

6) APPLICABLE OPERATIONAL PROCEDURES

- a) A Complainant may submit a complaint in writing to the Chief Executive Officer, the Board Chair and/or viaSport's independent third-party.
- b) All complaints must be provided to viaSport's independent third party for review to determine:

- i) If the complaint is within the jurisdiction of this policy;
- ii) If alternative dispute resolution techniques may be applied; and
- iii) If an investigation is required.
- c) Where an investigation is required:
 - i) an independent third party will conduct the investigation.
- d) The independent third party has the authority to:
 - i) Render a decision and issue a sanction that is reasonable for the breach.
 - ii) Determine if a hearing is required.
 - iii) Determine the number of hearing panel members to a maximum of three persons.
 - iv) Provide a written decision within 10 of the investigation or the hearing date.

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