BC Games Society
Discipline Process

Principles

This process outlines how to report infractions or transgressions of the BC Games Safeguarding Process or Code of Conduct or the BC Universal Code of Conduct (BCUCC), and how the reports are managed.

A complaint may be made by any person against any employee, director, officer, volunteer, or participant of the BC Games Society or BC Winter or BC Summer Games host societies.

If a situation should require police intervention, the RCMP or city police will be contacted by the BC Games Society President and CEO or designate. The BC Games Society will cooperate with any action or investigation by the RCMP or local police.

In the case of Games participants, the BC Games Society will involve the respective Provincial Sport Organization in the discipline of participants from their sport.

Definitions

"*BCUCC*" is the BC Universal Code of Conduct as found here.

"*Code of Conduct*" is the BC Games Code of Conduct as found here.

"*Complaint*" is a report of an infraction or transgression of the BC Games Safeguarding Process or Code of Conduct or the BC Universal Code of Conduct (BCUCC).

"*Games-time*" is the days of the Games from the time the first BC Games transportation departs for the Games until the conclusion of the Volunteer Appreciation Event.

"*Pre-Games*" is time before "Games-time" and includes the time when the host society is planning and preparing for the Games.

"*Host Society*" is the incorporated organization established for the purpose of planning and staging the Games.

"*Intake Volunteers*" are selected by the host society. Two Intake Volunteers are put into place, one male and one female, who are trained in mediation, dispute resolution, or counselling to receive complaints under this process. These volunteers are appointed within six (6) weeks of the Games. They will receive and manage all infractions or transgressions that involve only volunteers and during the Games and may be called upon to assist with infractions or transgressions that involve volunteers and participants, as needed.

"*Jury*" is a committee of individuals established by the BC Games Society President and CEO for addressing minor incidents that involve more than one sport or a volunteer and a sport member. The jury will include at least three (3) individuals, equal numbers from each party involved in the incident and including at least one BC Games Society staff.

"*BC Games Discipline Committee*" is a committee of individuals established by the BC Games Society to review and consider *Major Infractions* convened for the purpose of managing one or more incidents. No members of the Committee shall have any personal or professional involvement with either the Complainant or Respondent and no prior involvement with the matter under consideration.

"*Interested parties"* are those who are directly involved in the complaint but does not include those who may have been involved and/or interviewed as witnesses.

"Infractions" may be categorized as *Minor* or *Major*:

"Minor Infractions" are dealt with depending on the scenario:

- involve participants from ONLY one sport – managed by the respective Provincial Sport Organization (PSO)
- involve ONLY volunteers – managed by the host society.
- Involve participants from more than one sport or participants and volunteers – managed by the BC Games Society

"Major Infractions" are the responsibility of the BC Games Society and may require the forming of the Discipline Committee and/or the utilization services from other organizations or individuals, depending on the nature and severity of the violation.

Examples of each type of infraction are outlined below. This is not an inclusive or exhaustive list but is based on the standard of behavior expected at the Games (for infractions that apply specifically to Host Society Games Volunteers, see the **Discipline Process for Host Society Volunteers**). The BC Games Society must be made aware of any infraction, regardless of the nature or severity.

- *Minor Infractions* may include but are not limited to:
  - Single instances of disrespectful behaviour;
  - Single instances of unsporting conduct (e.g. arguing or fighting);
  - Being late or absent from activities or functions without permission from the head coach;
  - Failing to follow the dress code;
  - Use of tobacco products by adults within Games venues or accommodations;
  - Use of tobacco products by coaches in the presence of athletes;
  - A minor disturbance or disruption after quiet time in accommodations;
  - Minor incidents of inappropriate physical contact (e.g., shoving, tripping, pushing);
  - Conduct contrary to BC Games values and Culture of the Games principles;
  - Minor violations of the BC Games Code of Conduct, Rules, or Policies, or of the BC Universal Code of Conduct (BCUCC);
  - Other similar infractions.

- *Major Infractions* may include but are not limited to:
    - Repeated instances of one or more minor infraction;
    - Unsportsmanlike conduct such as fighting;
    - Major disruptions after quiet time and curfew;
    - Racist or sexist comments or behaviour;
    - Use of cigarette products by minors (under 19 years of age);
    - Possession or use of alcohol or cannabis by a minor at any time;
    - Possession or use of alcohol or cannabis by an adult within a Games venue;
    - Intoxication at any time;
    - Pranks, jokes, or other activities which endanger the safety of others;
    - Any incident of hazing;
    - Major or repeated violations of the BC Games Society Code of Conduct, Rules, or Policies, or of the BC Universal Code of Conduct (BCUCC);
    - Behaviours that constitute psychological maltreatment, physical maltreatment, neglect, sexual maltreatment, grooming, or discrimination, as outlined in the BCUCC;
    - Intentionally filing a false allegation or retaliation against someone for filing a complaint;
    - Major incidents of inappropriate physical contact (e.g., attacking, sucker punching, fighting);
    - Conduct that intentionally interferes with a competition or with any athlete's preparation for a competition;
    - Conduct that intentionally damages the image, credibility, or reputation of the BC Games Society, the host society, or the Games;
    - Intentionally damaging property;
    - Possession or use of illegal drugs;
    - An anti-doping rule violation under the Canadian Anti-Doping Program;
    - Failure of coaches to enforce discipline for minor infractions;
    - Other similar infractions.

Notification of Policies

The BC Games Society Code of Conduct and Culture of the Games principles are communicated in the following ways:

- Posted on the BC Games Society website;
- for participants - included in the Guide to the Games, referenced at G2G Sessions, and made available in communications from the BC Games Society;
- for volunteers - included in training manuals, referenced at training sessions, and made available in communications from the host society; and
- As part of the registration processes for participants and volunteers where agreement to the Code of Conduct and the Culture of the Games principles, which are developed based on the Safeguarding Process and the BCUCC, is required.

Infractions involving volunteers only

Minor infractions involving volunteers only are managed by the host society for the respective Games. Refer to the Discipline Process for Volunteers. Major infractions involving volunteers only are managed by the BC Games Society as outlined in this document.

Pre/Post-Games Reporting Process

Prior to or after the Games, an individual who has been subjected to conduct which they believe constitutes a violation, infraction, or transgression of the BC Games Safeguarding Policy, the BC Games Code of Conduct, or the BC Universal Code of Conduct (BCUCC), or witnesses such an incident, should contact the BC Games Intake Line at 250-387-1121 or the Canadian Sport Helpline by phone, text or email: 1-888-837-7678 or info@abuse-free-sport.ca

Games-time Reporting Process

Refer to the *Incident Management and Call Routing and Response Matrix* and the *BC Games Society-Managed Incident Flow Chart* found at the end of this document. The detailed process is provided below.

At Games-time, badges for all accredited individuals at the Games will include the Culture of the Games icon with a designated phone number for the BC Games Intake Line and a QR code to report violations or transgressions.

1. A person has been subjected to conduct which they believe constitutes a violation, infraction, or transgression of the BC Games Safeguarding Policy, the BC Games Code of Conduct, or the BC Universal Code of Conduct (BCUCC), or witnesses such an incident at the Games, may choose to make it known to the person responsible for the conduct, if it is safe to do so.
2. If confronting the person responsible for the conduct is not possible, or if after doing so the conduct continues, the individual may contact the BC Games Intake Line at 250-387-1121 or can complete an online report form.
3. The individual making the complaint may be directed to the appropriate person/group based on the situation. Refer to the chart below.
4. Once a complaint is received the BC Games Society President and CEO is notified.
5. If the situation requires police intervention, the BC Games Society President and CEO or designated individual will make the official police report and the BC Games Society Crisis Communications Plan will be used for communication and managing the flow of information.

Interviews

6. It is likely that in order to determine how to manage the complaint, the person making the complaint and/or those who are or may be witnesses or otherwise involved, will need to be interviewed.
7. Interviews, where possible and practicable, will be conducted by a BC Games Society appointed interviewer. The interviewer may be accompanied by a note-taker or observer.
8. All individual(s) being interviewed may choose to be accompanied by one (1) observer of their choice.
9. The observer is not permitted to provide reports or information during the interview; they are not being interviewed unless they are also party to the complaint and then their interview would separate from an interview where they are an observer.
10. The conditions of the observer's involvement in the interview will be established before the interview and communicated to the individual(s) being interviewed and the observer.
11. It is the responsibility of the individual being interviewed to inform parent/guardian of the interview details and determine who their observer will be, if they choose to have an observer attend.
12. The Provincial Advisor or designate Provincial Sport Organization representative at the Games will be notified of participants from their sport who are being interviewed.
13. Suitable observers could be the parent or guardian of the individual being interviewed, the coach of the person being interviewed, or another selected individual. It is strongly recommended that the observer be of legal age (19 or over) and not be otherwise party to the complaint.

<u>If the complaint does not warrant police intervention and is a *Minor Incident*, and either</u>:

i) involves participants from more than one sport, OR
ii) involves participants and volunteers

1. The President and CEO will:
    i) establish a jury for addressing the incident that involves the PSO(s) for the respective sport(s) and/or the Host Society President and/or Vice President, OR
    ii) treat the incident as Major Incident and utilizing the process outlined in the section below.
        a. Note that this step may begin after any interviews deemed necessary have been conducted or at a time the President and CEO deems appropriate based on the situation.
2. If the President and CEO forms a jury to address the incident, it will include at least three (3) individuals, equal numbers from each party involved in the incident and including at least one BC Games Society staff – e.g. if the incident involves participants from different sports, each sport will have the opportunity to name a member. If a volunteer is involved the host society will name one individual to sit on this jury. Members of the jury will not have any direct connection/involvement the matter under consideration. The BC Games Society will determine the chairperson for the jury. The individuals on the jury are not representatives or spokespersons for any individual involved in the complaint.
3. One of the host society Intake Volunteers or another individual may be asked to provide administrative support to the jury.
4. The jury will use the following procedure to address the incident that violated or potentially violated the BC Games Safeguarding Policy, the BC Games Code of Conduct, or the BC Universal Code of Conduct (BCUCC):
    i) Notify the involved parties that there has been an incident that violated or potentially violated the BC Games Safeguarding Policy, the BC Games Code of Conduct, or the BC Universal Code of Conduct (BCUCC)
    ii) The jury will interview and/or secure statements from parties involved and any witnesses or receive reports of interviews conducted from the BC Games Society designated interviewer. The host society Intake Volunteers, a contractor, or other individual may be utilized to conduct interviews/secure statements.
        a. Any individual being disciplined, being interviewed, or requested to attend a hearing may choose to be accompanied by one (1) observer of their choice as outlined in paragraphs 6-13 of the Games-time Reporting Process section above.
    iii) If the violation occurred during a competition, statements will be secured and/or interviews will be held with the officials who officiated or observed the competition and with the coaches of each team, when necessary and appropriate.
    iv) The jury will interview or secure statements from the person(s) accused of the violation and the person(s) filing the complaint.
    v) The jury will consider the situation and determine the discipline to be rendered.
5. In fulfilling its duties, the jury may obtain independent advice.
6. If the jury cannot come to a consensus on the discipline/sanction, the BC Games Society President and CEO will be informed. The President and CEO will determine if the situation is escalated to a *Major Infraction*.
7. If a decision is reached, the chairperson of the jury will inform all parties of the jury's decision and will also inform the BC Games Society President. The BC Games Society Marketing and Communications Manager will manage the communication and assist with key messages.
8. The discipline determined by the jury may include any of the following, singularly or in combination:
    i) Oral or written warning
    ii) Oral or written reprimand
    iii) Suspension from future competitions or events at the Games
    iv) Ejection from the Games
    v) Other appropriate penalty as determined by the jury
9. The jury does not have the authority to determine a penalty that exceeds the duration of the Games.

10. Appeals are not permitted for *Minor Infractions* managed by the host society or the BC Games Society. *Minor Infractions* managed by Provincial Sport Organizations may only be appealed to the PSO, if the PSO permits an appeal for the specific type of incident.
11. A full written report of the incident and the jury's decision shall be submitted to the BC Games Society President and CEO following the conclusion of the Games by the Jury Chairperson or administrator. These reports will be securely filed by the BC Games Society for a minimum of seven years or until all parties are at least 19 years of age, whichever is longest.

If the complaint does not warrant police intervention but is a *Major Infraction*.

1. The Crisis Communications Plan will be implemented.
2. The BC Games Society President and CEO will gather appropriate individuals, which may be BC Games Society staff or contractors to develop an action plan.
3. If deemed necessary, a BC Games Society Discipline Committee will be established by the President and CEO.
4. The BC Games Society Discipline Committee will be made of a minimum of three (3) individuals and will include equal numbers from each party involved in the incident and including at least one BC Games Society staff – e.g. if the incident involves participants from different sports, each sport and the BC Games Society will have an equal number of representatives on the committee. If a volunteer is involved, the host society will name a representative to sit on this committee as well. Members of the BC Games Society Discipline Committee will not have any direct connection/involvement in the matter under consideration. The BC Games Society determines the chair for the Committee.
5. The BC Games Society may seek outside assistance which may include one or more of: utilizing Sport Dispute Resolution Centre of Canada (SDRCC) services, appointing a Case Manager to oversee management and administration of the complaint or incident, or hiring a mediator, consultant or outside resource.
6. Not more than 12 hours from receiving a complaint, the BC Games Discipline Committee will be convened.
    i) The Committee will consider the report brought forward and determine the next steps, which may include:
    ii) Notifying the involved parties that there has been an incident that violated or potentially violated the BC Games Safeguarding Policy, the BC Games Code of Conduct, or the BC Universal Code of Conduct (BCUCC).
    iii) Interview and/or securing statements from parties involved and any witnesses, officials who officiated or observed the competition, and coaches, as necessary and appropriate This may include receiving reports of interviews conducted from the BC Games Society designated interviewer. The host society Intake Volunteers, a contractor, or other individual may be utilized to conduct interviews/secure statements.
    iv) The Committee will interview or secure statement from the person(s) accused of the violation and the person(s) filing the complaint.
    v) Determine if a decision is likely to be reached during the Games.
    vi) Hold a hearing, if appropriate.
    vii) Request for a formal investigation be conducted, if appropriate
    viii) The committee will consider the situation and determine the discipline to be rendered. Where a formal investigation has been conducted, the BC Games Discipline Committee will consider the recommendations of the investigator and may accept or reject some or all of the recommendations.
7. In cases, where resolution is not likely to be reached during the course of the Games, the priority during the Games will be to gather facts, accounts, and evidence, and conduct interviews and gather information from parties involved and potential witnesses.
8. If a hearing is convened, all interested parties will be notified of the proceedings and will have the opportunity to attend the hearing and address the BC Games Discipline Committee, at their own expense. The hearing shall be held in private with the Discipline Committee and the individual(s).

9. Any individual being disciplined, being interviewed, or requested to attend a hearing may choose to be accompanied by one (1) observer of their choice as outlined in paragraphs 6-13 of the Games-time Reporting Process section above.
10. The BC Games Discipline Committee may call witnesses and demand any pertinent information which it deems necessary to arrive at a decision. The decision of the Committee will be announced by the Chair of the Committee within a reasonable time of the decision being reached. If during the Games, a verbal decision may be communicated to those immediately impacted by the decision and a written report issued within 7 days of the hearing to all interested parties. If outside of Games-time the decision will be issued in writing within 7 days of the decision and will be communicated to all interested parties.
11. Discipline/sanctions will be applied by the BC Games Discipline Committee, the BC Games Society President and CEO, or the BC Games Society Board of Directors (unless the Board has delegated this to another organization), as appropriate.
12. Appeals must be made in writing and will be addressed via the BC Games Society Appeals process unless superseded by the process utilized for the complaint. Appeals will not be heard during the Games.

Discipline/Sanctions

There is no “typical” sanction for each type of infraction/transgression; discipline/sanctions are applied depending upon the severity and the specifics of the situation. The Jury or BC Games Discipline Committee, as appropriate, shall determine discipline/sanctions in accordance with this policy.

In applying sanctions, the Discipline Committee may consider the following aggravating or mitigating circumstances:

1. The nature and severity of the infraction;
2. Whether the infraction/transgression is the individual(s)’ first or a repeated infraction/transgression;
3. The individual(s)’ acknowledgement of responsibility;
4. The individual(s)’ extent of remorse; and
5. The age, maturity, or experience of the individual(s).

For participants, discipline may range from partial to full suspension of Games privileges, to removal from competition to expulsion from the Games, to revoking of travel privileges (requiring the participant to arrange their own travel home from the Games at their own expense). Additional disciplinary actions may be sanctioned by the Provincial Sport Organization and the BC Games Society regarding involvement in future BC Games and provincial competitions. In any situation involving the Discipline Committee, a letter will be sent to the Provincial Sport Organization, and where necessary to the parents of the participant involved.

Regardless of the type or severity of the infraction of the BC Games Society Code of Conduct, by a Games Participant, the BC Games Society will either apply disciplinary action directly and/or seek disciplinary action from the PSO through the Provincial Advisor. In the case of the latter, if the PSO takes steps appropriate to the infraction in the view of the BC Games Society, the Society will consider the incident closed. If the action, in the estimation of the BC Games Society, is not commensurate with the infraction, the entire incident will be reviewed by BC Games staff and additional actions taken against the participant(s) and/or the PSO.

For volunteers the discipline may range from partial to full suspension of Games privileges which may include removal from volunteer position, requirement to return Games uniform/apparel item, revoking of invitation to attend events, or other sanction deemed commensurate with the infraction.

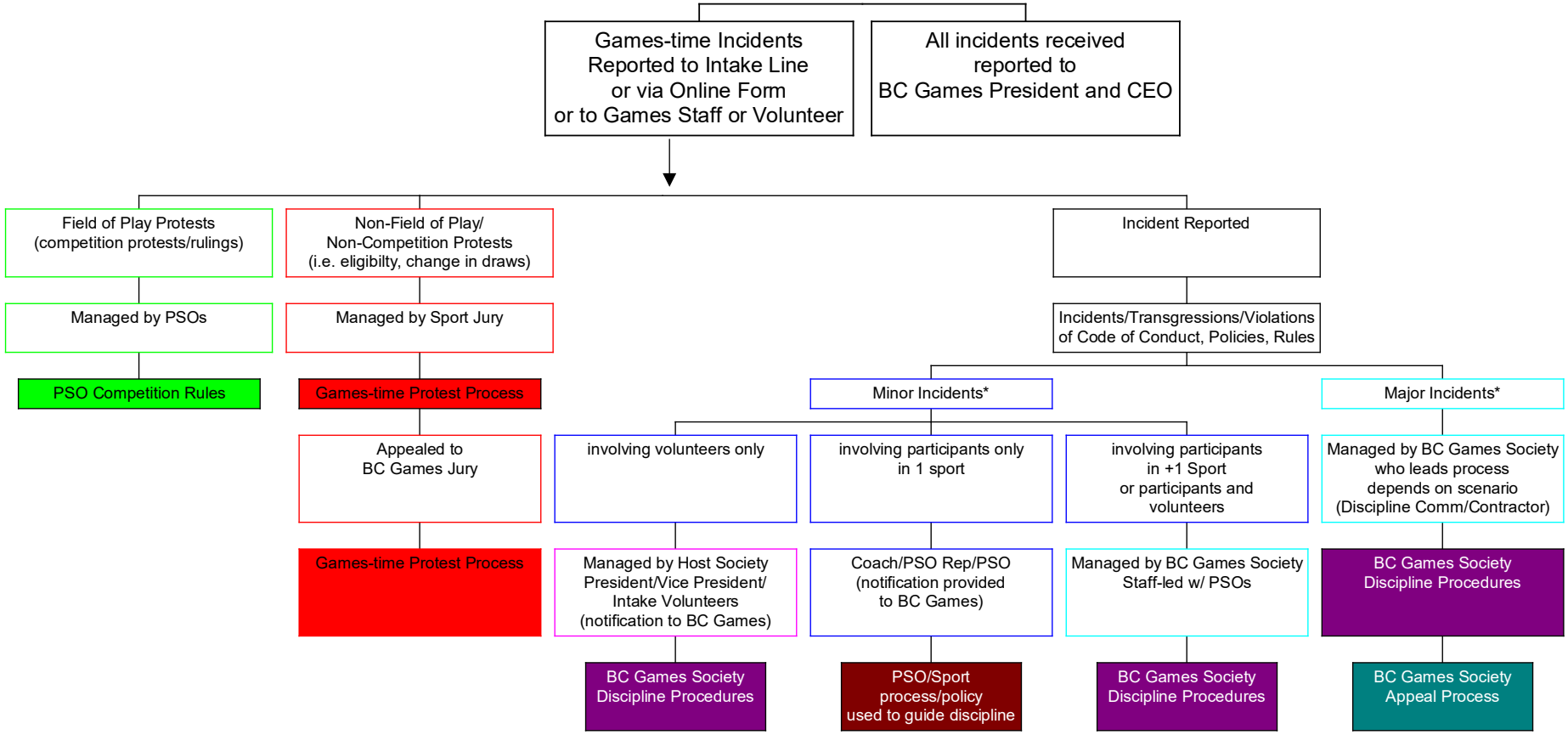
Incident Management and Call Routing and Response Matrix

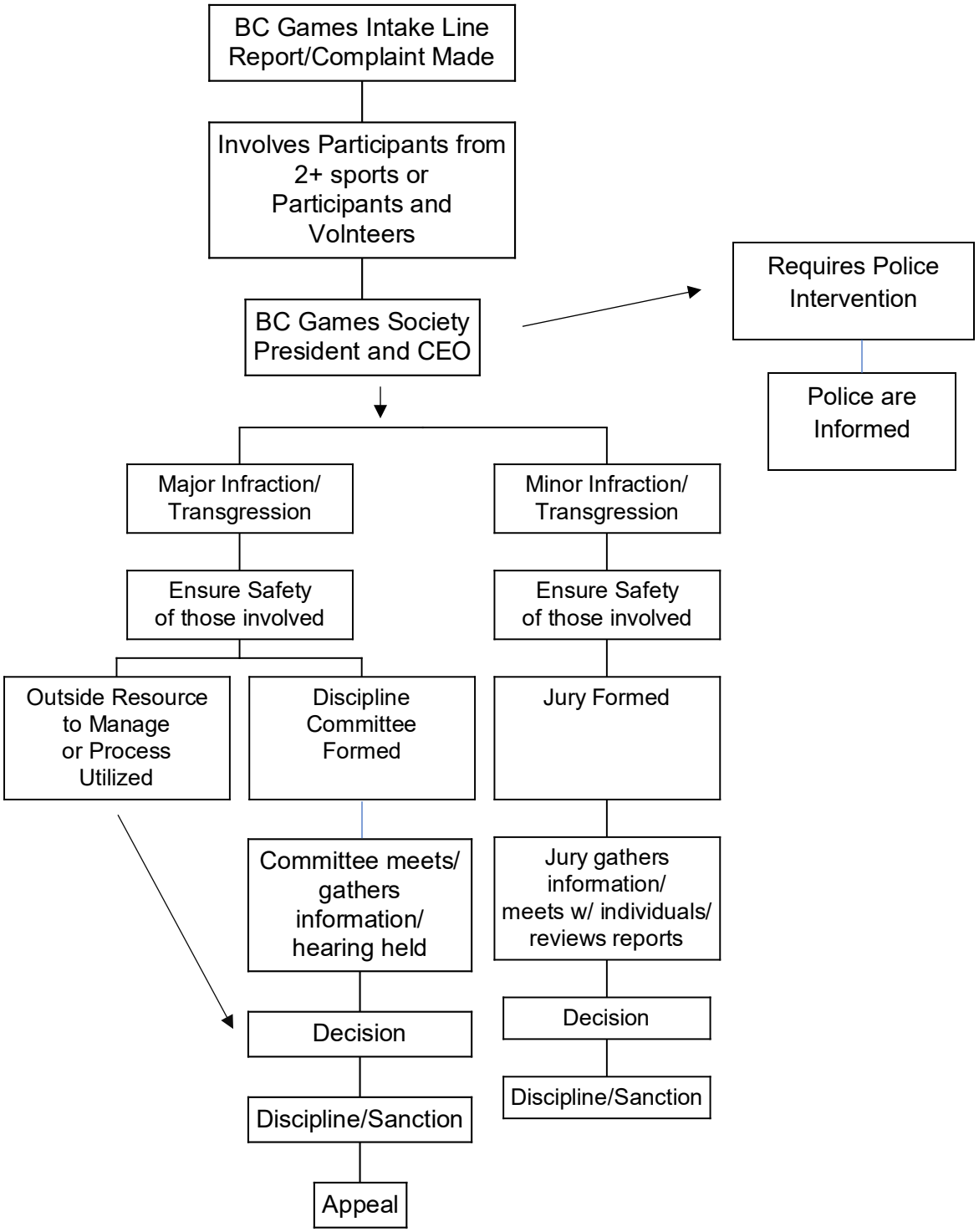
General Overview

1. A call is received at the designated “Intake Line”.
2. This Intake Line is answered by the designated contractor.
3. General information is recorded on the reporting form (online JotForm).
4. The caller is referred to the appropriate response route, based on the situation as indicated in the flowchart below. This may mean giving them the contact info of the person they need to reach out to, identifying where they can find the contact info or the person they need to report to, or another support.
5. The BC Games Society President and CEO is made aware of all call received via a designated reporting process (submission of the online reporting form by the Intake Line).

Call Routing and Incident Response Matrix

The chart outlines who callers are referred to or who is informed by the Intake Line and the procedure activated by the individual/group responsible



* As defined in the BC Games Discipline Process

BC Games Society-Managed Incidents Flow Chart