



Discipline and Complaints Policy

Alberta Basketball Association is committed to providing an environment in which all Members and participants are treated with respect and characterized by the values of fairness, integrity, and open communication. Membership in Alberta Basketball Association, as well as participation in its activities, brings with it many benefits and privileges. At the same time, individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with Alberta Basketball Association's policies, Bylaws, rules and regulations, and the Code of Conduct and Ethics. Non-compliance may result in sanctions pursuant to this Policy.

1. Definitions

1.1. The following terms have these meanings in this Policy:

- 1.1.1. *Purpose Complainant* – an Individual Member who makes a report of an incident, or a suspected incident, of alleged Maltreatment, Prohibited Behaviour or other misconduct that may be a violation of the standards described in ABA's policies, by-laws, rules or regulations, or the UCCMS
- 1.1.2. *Days* – Calendar days including weekends and holidays.
- 1.1.3. *Independent Third Party* – the individual retained by ABA to receive reports and complaints, and to fulfill the responsibilities outlined in the Discipline and Complaints Policy, Investigations Policy and Appeal Policy, as applicable. This individual must not be in a real or perceived conflict of interest or have a direct relationship with any of the Parties.
- 1.1.4. *Maltreatment* – as defined in the Code of Conduct and Ethics
- 1.1.5. *Minor* – as defined in the Code of Conduct and Ethics is an individual who is a Participant in ABA who is subject to the policies of ABA and to this Code who is under the age of eighteen (18) years old.
- 1.1.6. *Participants* – refers to all categories of individual members and/or registrants defined in the by-laws of ABA who are subject to the policies, rules and regulations of ABA, as well as all persons employed by, contracted by, or engaged in activities with, ABA including, but not limited to, employees, contractors, Athletes, coaches, instructors, officials, volunteers, judges, Athlete Support Personnel, managers, administrators, parents or guardians, honorary members, spectators, committee members, or directors and officers.
- 1.1.7. *Power Imbalance* – as defined in the Code of Conduct and Ethics
- 1.1.8. *Respondent* – The alleged infracting party
- 1.1.9. *Organization Members* – refers to any entity or organization who is a member defined in the by-laws of the Alberta Basketball Association (ABA) who are subject to the policies, rules and regulations of ABA.
- 1.1.10. *Case Manager* – An individual appointed by Alberta Basketball Association to administer complaints under this Discipline and Complaints Policy. The Case Manager does not need to be a member of, or affiliated with, Alberta Basketball Association.
- 1.1.11. *External Discipline Panel* – a panel of one or three people who are appointed by the Independent Third Party to decide on complaints that are assessed under Process B of this policy or appointed by the Commissioner to decide on complaints that are assessed under Process A of this policy.



2. Principles

2.1. The following principles guide the findings and determinations under this Policy:

- 2.1.1. Any form of Maltreatment violates the integrity of Participants and undermines the values of Canadian sport.
- 2.1.2. Sanctions imposed will reflect the seriousness of the Maltreatment and the harm to those affected and the values of Canadian sport.
- 2.1.3. Participants and Organization Members are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with all policies, by-laws, rules, and regulations of ABA, as updated, and amended from time to time.
- 2.1.4. Non-compliance with any of ABA's policies, by-laws, rules, or regulations, as applicable, may result in the imposition of sanctions pursuant to this policy.
- 2.1.5. Whenever possible ABA, its commissioner, and when required the Independent Third Party will endeavor to seek resolutions at the local jurisdiction level, working with Organization Members when possible as a first option.

3. Application of this Policy

3.1. This Policy applies to all Participants and Organization Members and to any alleged breaches of ABA's policies, by-laws, rules, or regulations, which designate this policy as applicable to address such alleged breaches.

- 3.1.1. This Policy applies to matters that may arise during Alberta Basketball Association's business, activities, programs, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Alberta Basketball Association's activities, and any meetings.
- 3.1.2. This Policy also applies to Participants' conduct outside of Alberta Basketball Association's business, activities, and events when such conduct adversely affects relationships within Alberta Basketball Association (and its work and sport environment), is detrimental to the image and reputation of Alberta Basketball Association, or upon the acceptance of Alberta Basketball Association. Applicability will be determined by Alberta Basketball Association at its sole discretion.
- 3.1.3. This Policy applies to alleged breaches of the Code of Conduct and Ethics by Participants who have retired from the sport where any claim regarding a potential breach of the Code of Conduct and Ethics occurred when the Participant was active in the sport. In addition, this Policy will apply to breaches of the Code of Conduct and Ethics that occurred when the Participants involved interacted due to their mutual involvement in the sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Participant(s).
- 3.1.4. This Policy does not prevent immediate discipline or sanction from being applied as reasonably required. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within a competition will be dealt with by the procedures specific to the competition or event, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity, or event only.
 - 3.1.4.1. In-competition discipline or sanction imposed by the applicable official or



authority does not prevent an Individual Member from facing additional disciplinary proceedings under the Code.

- 3.1.5. An employee of Alberta Basketball Association who is a Respondent will be subject to appropriate disciplinary action per Alberta Basketball Association's Whistleblower Policy or Workplace Harassment Policy as well as the employee's Employment Agreement, if applicable. Violations may result in a warning, reprimand, restrictions, suspension, or other disciplinary actions up to and including termination of employment.

4. Adult Representative

- 4.1. Complaints may be brought for or against a Participant who is a minor. Minors must have a parent/guardian or other adult serve as their representative during this process.
- 4.2. Communication from the Independent Third Party, Commissioner or External Discipline Panel (as applicable) must be directed to the Minor's representative.
- 4.3. If the Minor's representative is not their parent/guardian, the representative must have written permission to act in such a capacity from the Minor's parent/guardian.
- 4.4. A Minor is not required to attend or participate in an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

5. Reporting a Complaint

- 5.1. Any Participant may:

- 5.1.1. Report a complaint to the ALIAS portal through the Alberta Basketball Association website, alternatively use the 24 hr phone number supplied on the website.
- 5.1.2. Email the ABA Commissioner directly or contact the ABA office via email to report a complaint.
- 5.1.3. Report an incident directly to the Designated Independent Third-Party Officer: canadabasketball@itpsport.ca or by phone at 1-833-913-1304.
- 5.1.4. Notwithstanding any provision in this policy, ABA may, at its discretion, or upon request by the Independent Third Party, act as the Complainant and initiate the complaint process under the terms of this policy. In such cases, ABA will identify an individual to represent the Organization.

6. Receipt of a Complaint

- 6.1. Upon receipt of a complaint directly by the Commissioner via email or through the reporting portal, or if received from Alberta Basketball Association (at which point Alberta Basketball Association must forward such a complaint to the Commissioner for further handling), the Commissioner will determine if the complaint is within the jurisdiction of this policy, regarding Conduct Standards or specifically in the context of the UCCMS:
 - 6.1.1. UCCMS is about psychological/physical/sexual maltreatment, neglect, grooming, boundary transgressions, discrimination, aiding and abetting amongst others.
- 6.2. Upon receiving a complaint, the Independent Third Party or the ABA Commissioner (as applicable to the circumstances of the report) has a responsibility to:
 - 6.2.1. Determine whether the complaint falls within the jurisdiction of this policy;



- 6.2.2. Determine the appropriate jurisdiction to manage the complaint by considering the following:
 - 6.2.2.1. Whether the incident occurred within the business, activities, or Events of ABA, or one of its Member Organizations; and
 - 6.2.2.2. If the Member Organization can manage the complaint process.
 - 6.2.2.2.1. In making this assessment, the Independent Third Party/Commissioner may determine that the Member Organization lacks the capacity to manage the complaint (which may include financial and human resource capacity), that the Member Organization is not the appropriate instance to manage the complaint due to its seriousness (for example, clubs will not be expected to manage serious complaints due to the complexity of conducting such a process), or that a real or perceived conflict of interest exists within the member or affiliated organization.
- 6.3. If the Independent Third Party/Commissioner determines that the Complaint or report should be handled by a Member Organization, that organization may use its own policies to address the complaint or may adopt this Policy and appoint its own Independent Third Party to fulfil the responsibilities listed herein. Where this Policy is adopted by a Member Organization, any reference to the Independent Third Party below shall be understood as a reference to the Independent Third Party of the Member Organization.
- 6.4. Whenever possible and appropriate to the circumstances of the complaint, the Commissioner will work with the Member Organization as the preferred jurisdiction for complaints, encouraging local solutions, notwithstanding the criteria listed above.
- 6.5. Determine whether the complaint is frivolous, vexatious or if it has been made in bad faith
 - 6.5.1. For a complaint to be considered to have been made in bad faith, the Independent Third Party must consider that it was filed consciously for a dishonest purpose or due to the moral underhandedness of the Complainant and that there was an intention to mislead.
 - 6.5.2. If it is determined that a complaint has been filed in bad faith, the Independent Third Party will send the matter to the Commissioner, who will decide what, if any costs - beyond the set \$250 malicious complaint fee, must be paid by the Complainant.
 - 6.5.3. The decision regarding costs may not be appealed.
- 6.6. Determine which process (Process A or Process B, as outlined below) should be followed to hear and adjudicate the matter.
- 6.7. In exceptional circumstances, the Independent Third Party may direct a complaint to be managed by ABA if an Organizational Member is otherwise unable to manage the complaint for valid and justifiable reasons, such as a conflict of interest, due to a lack of capacity or where the Organizational Member does not have policies in place to address the complaint. In such circumstances, ABA shall have the right to request that a cost-sharing agreement is entered into with the member as a pre-condition to ABA managing the complaint.
- 6.8. Where the Independent Third Party refers a matter to be managed by an Organizational Member, or where an Organizational Member is otherwise responsible for managing a matter (i.e., because they received the matter directly), and an Organizational Member fails to conduct disciplinary proceedings within a reasonable timeline, ABA may, at its discretion, take jurisdiction over the matter and conduct the necessary proceedings.
 - 6.8.1. In such circumstances, if the Commissioner or External Discipline Panel decides that ABA acted reasonably in taking jurisdiction over the matter, ABA's costs to conduct the proceedings, including legal fees, shall be reimbursed by the Organizational Member to



ABA.

7. Available Process

7.1. There are two different processes that may be used to hear and adjudicate complaints the recipient of the complaint on behalf of ABA decides which process will be followed at their discretion, and such decision is not appealable.

7.1.1. Process A - the complaint contains allegations involving the following behaviours:

7.1.1.1. Disrespectful conduct or comments

7.1.1.2. Minor acts of physical violence, unless the physical violence is between a Person in Authority and a Vulnerable Participant, in which case the matter will be addressed under Process B

7.1.1.3. Conduct contrary to the values of ABA.

7.1.1.4. Non-compliance with the policies, procedures, rules, or regulations of ABA.

7.1.1.5. Minor violations of the policies or bylaws of ABA.

7.2. *** The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process A.

7.2.1. Process B - The complaint contains allegations involving any of the following behaviours:

7.2.1.1. repeated incidents described in Process #1;

7.2.1.2. hazing;

7.2.1.3. abusive, racist, or sexist comments, conduct or behaviour;

7.2.1.4. incidents that constitute Prohibited Behaviour under the Code of Conduct and Ethics (the "Code") or the UCCMS;

7.2.1.5. major incidents of violence (e.g., fighting, attacking);

7.2.1.6. pranks, jokes, or other activities that endanger the safety of others;

7.2.1.7. conduct that intentionally interferes with a competition or with any Athlete's preparation for a competition;

7.2.1.8. conduct that intentionally damages the image, credibility, or reputation of ABA or that of one of its members or member organizations;

7.2.1.9. consistent disregard for the by-laws, policies, rules, or regulations of ABA or those of one of its members or member organizations;

7.2.1.10. major or repeated violations of the Code or any other policies, by-laws, rules or regulations that designate this Discipline and Complaints Policy as applicable to address such alleged breaches;

7.2.1.11. intentionally damaging the property of ABA, one of its members or member organizations, or improperly handling any of the aforementioned Organizations' monies;

7.2.1.12. abusive use of alcohol and/or controlled substance(s) by adults, any use or possession of alcohol or controlled substance(s) by Minors, or use or possession of illicit drugs and narcotics by any member;

7.2.1.13. a conviction for any Criminal Code offense.



7.3. *** The behaviours identified above are examples only and are not a definitive list of behaviours that may be addressed through Process B.

8. Process A: Handled by the ABA Commissioner

8.1. Following the determination that the complaint or incident should be handled under Process A, the Independent Third Party will refer the matter to the Commissioner who may:

8.1.1. propose alternative dispute resolution techniques, if appropriate; and/or

8.1.2. ask the Complainant and the Respondent for either written or oral submissions regarding the complaint or incident.

8.1.2.1. Both Parties shall also have the right to submit to the Commissioner any relevant evidence, including, but not limited to witness statements, documentary evidence or evidence from other media (i.e., photos, screenshots, videos or other recordings). Each Party shall have the right to receive the other Party's submissions and evidence, including a summary of the Complainant's allegations. In the case of oral submissions, each Party shall be present when such submissions are made (unless waived by a Party); and/or

8.1.3. following receipt of the Parties' submissions, the Commissioner may convene the Parties to a meeting, either in person or by way of video or teleconference to ask the Parties questions and to allow the Parties to ask questions of one another.

8.1.4. Following their review of the submissions and evidence related to the complaint, the Commissioner shall determine if any of the incidents listed in Process A above have occurred and, if so, determine whether to impose a sanction and, if so, determine the appropriate sanction.

8.1.5. If, after hearing the Parties and reviewing their submissions, the Commissioner considers that none of the incidents listed in Process A above have occurred, they shall dismiss the complaint.

8.1.6. The Commissioner will inform the Parties of the Commissioner's decision, which shall be in writing and include reasons. The Commissioner's decision will take effect immediately, unless specified otherwise by the Commissioner.

8.1.6.1. Should the circumstances require a decision to be rendered immediately or within a short timeline, the Commissioner may render a short decision, either orally or in writing, followed by a written reasoned decision.

8.1.7. Any decision rendered by the Commissioner shall be provided to and maintained in the records of the ABA. Decisions shall be retained and discarded in accordance with the relevant and applicable privacy legislation.

9. PROCESS B: Handled By Independent Third Party

9.1. Following the determination that the complaint should be handled under Process B, the Independent Third Party will propose the use of alternative dispute resolution methods, if appropriate.

9.2. If the dispute is not resolved using alternative dispute resolution methods, the Independent Third Party may appoint an External Discipline Panel of one (1) person to hear the complaint. Thereafter, the Independent Third Party shall have the following responsibilities:

9.2.1. coordinate all administrative aspects of the process and set reasonable timelines;

9.2.2. provide administrative assistance and logistical support to the External Discipline Panel as required, including providing the External Discipline Panel with any information



related to previously imposed disciplinary sanctions against the Respondent(s) of the policies of ABA, any member or any other relevant sport (basketball) organization that had authority over the Respondent; and

- 9.2.3. provide any other service or support that may be necessary to ensure a fair and timely proceeding.
- 9.3. The Independent Third Party will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.
- 9.4. If warranted based on the nature of the case, the Independent Third Party may, in their sole discretion, appoint an External Discipline Panel of one (1) or three (3) people. When a three-person External Discipline Panel is appointed, the Independent Third Party will appoint one of the External Discipline Panel's members to serve as the Chair.
- 9.5. The Independent Third Party, in cooperation with the External Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing may be an oral in-person hearing, an oral hearing by telephone or other communication medium, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a combination of these methods.
- 9.6. The hearing will be governed by the procedures that the Independent Third Party and the External Discipline Panel deem appropriate for the circumstances. The following procedural directions will apply:
 - 9.6.1. The determination of procedures and timelines, as well as the hearing duration, shall be as expedient and cost-efficient as possible to ensure that costs to the Parties and ABA and/or the member are reasonable.
 - 9.6.2. The Parties will be given appropriate notice of the day, time, and place of the hearing.
 - 9.6.3. Copies of any written documents which any of the Parties wishes to have the External Discipline Panel consider will be provided to all Parties, through the Independent Third Party, in advance of the hearing and in accordance with the timelines set by the Independent Third Party.
 - 9.6.4. The Parties may engage a representative, advisor, translator, transcription services or legal counsel at their own expense.
 - 9.6.5. The External Discipline Panel may request that any other individual participate and give evidence at the hearing.
- 9.7. If not a Party, ABA may, at the discretion of the Independent Third Party, be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the External Discipline Panel, ABA and/or the relevant member may make submissions at the hearing or may provide the discipline panel with clarifying information that may be required for the External Discipline Panel to render its decision.
- 9.8. The External Discipline Panel shall allow any evidence at the hearing filed by the Parties and may exclude any evidence is unduly repetitious or otherwise an abuse of process. The External Discipline Panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to evidence filed by the parties.
- 9.9. Nothing is admissible in evidence at a hearing that:
 - 9.9.1. would be inadmissible in a court by reason of any privilege under the law of evidence; or
 - 9.9.2. is inadmissible by any statute.
- 9.10. The decision will be by a majority vote of the External Discipline Panel when the Panel

consists of three people.

- 9.11. If the Respondent acknowledges the facts of the incident(s), the Respondent may waive the hearing, in which case the External Discipline Panel will determine the appropriate sanction. The External Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.
- 9.12. The process will proceed if a Party chooses not to participate in the hearing.
- 9.13. If a decision may affect another Individual Member to the extent that the other Individual Member would have recourse to a complaint or an appeal in their own right, that Individual Member will become a Party to the complaint, shall be permitted to participate in the proceedings as determined by the External Discipline Panel, and will be bound by the decision.

10. Decision

- 10.1. Within fourteen (14) days of the conclusion of the complaint, the written decision, with reasons, will be distributed by the Case Manager to all Parties, the Commissioner (if not the case manager), and Alberta Basketball Association.
- 10.2. See Appendix B for the recommended contents of the information letter.

11. Sanctions

- 11.1. Prior to determining sanctions, factors relevant to determining appropriate sanctions will be considered, which include:
 - 11.1.1. The nature and duration of the Respondent's relationship with the Complainant, including whether there is a Power Imbalance;
 - 11.1.2. The Respondent's prior history and any pattern of inappropriate behaviour or Maltreatment;
 - 11.1.3. The ages of the individuals involved;
 - 11.1.4. Whether the Respondent poses an ongoing and/or potential threat to the safety of others;
 - 11.1.5. The Respondent's voluntary admission of the offense(s), acceptance of responsibility for the
 - 11.1.6. Maltreatment, and/or cooperation in the process of Alberta Basketball Association;
 - 11.1.7. Real or perceived impact of the incident on the Complainant, sport organization or the sporting community;
 - 11.1.8. Circumstances specific to the Respondent being sanctioned (e.g., lack of appropriate knowledge or training regarding the requirements in the Code of Conduct and Ethics; addiction; disability; illness);
 - 11.1.9. Whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate;
 - 11.1.10. A Respondent who is in a position of trust, intimate contact, or high-impact decision-making may face more serious sanctions; and/or
 - 11.1.11. Other mitigating and aggravating circumstances
- 11.2. Any single factor, if severe enough, may be sufficient to justify the sanction(s) imposed. A combination of several factors may justify elevated or combined sanctions.



- 11.3. As applicable the following disciplinary sanctions may apply, singularly or in combination:
- 11.3.1. Verbal or Written Warning - A verbal reprimand or an official, written notice and formal admonition that a Participant has violated the Code of Conduct and Ethics and that more severe sanctions will result should the Participant be involved in other violations.
 - 11.3.2. Education - The requirement that a Participant undertake specified educational or similar remedial measures to address the violation(s) of the Code of Conduct and Ethics
 - 11.3.3. Probation - Should any further violations of the Code of Conduct and Ethics occur during the probationary period, will result in additional disciplinary measures, likely including a period of suspension or permanent ineligibility. This sanction can also include loss of privileges or other conditions, restrictions, or requirements for a specified period of time.
 - 11.3.4. Suspension - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, practice, activity, event, or competition sponsored by, organized by, or under the auspices of Alberta Basketball Association. A suspended Participant is eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Participant satisfying specific conditions noted at the time of suspension.
 - 11.3.5. Eligibility Restrictions - Restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions.
 - 11.3.6. Permanent Ineligibility – Recommend to Canada Basketball permanent ineligibility to participate, in any sport, in any capacity, in any program, activity, event, or competition sponsored by, organized by, or under the auspices of the Organization, a Member, and/or any sport organization subject to the UCCMS.
 - 11.3.7. Other Discretionary Sanctions - Other sanctions may be imposed, including, but not limited to, other loss of privileges, no contact directives, a fine or a monetary payment to compensate for direct losses, or other restrictions or conditions as deemed necessary.
- 11.4. See Appendix C in Alberta Basketball Code of Conduct and Ethics- Conduct Standards and Disciplinary Sanctions.
- 11.5. Unless decided otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in an automatic suspension until such time as compliance occurs.
- 11.6. The following presumptive sanctions may apply - which are presumed to be fair and appropriate for the listed Maltreatment:
- 11.6.1. Sexual Maltreatment involving a Minor Complainant shall carry a presumptive sanction of permanent ineligibility;
 - 11.6.2. Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to Process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions.
 - 11.6.3. While a Respondent has pending charges or dispositions in violation of the criminal law, the presumptive sanction shall be a period of suspension.
- 11.7. Records of all decisions and sanctions, if any, will be maintained by the organization maintaining jurisdiction in accordance with current legislation.

12. Suspension Pending a Hearing



- 12.1. Alberta Basketball Association (and/or the Independent Third Party) may determine that an alleged incident is of such seriousness as to warrant suspension of a Participant pending completion of an investigation, criminal process, the hearing, or a decision of the Discipline Panel.

13. Criminal Convictions

- 13.1. A Participant's conviction for a Criminal Code offense, shall carry a presumptive sanction of permanent ineligibility from participating with Alberta Basketball Association. Criminal Code offences may include, but are not limited to:
 - 13.1.1. Any child pornography offences
 - 13.1.2. Any sexual offences
 - 13.1.3. Any offence of physical violence
 - 13.1.4. Any offence of assault
 - 13.1.5. Any offence involving trafficking of illegal drugs.
 - 13.1.6. Any offence involving illegal trafficking of legal substances or drugs.

14. Confidentiality

- 14.1. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the Commissioner, the Discipline Panel, and any independent advisors to the Discipline Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.
- 14.2. Members of the Panel will have not been involved with the alleged infraction and will be free from any other bias or conflict of interest.
- 14.3. The collection, use and disclosure of any personal information pursuant to this policy is subject to ABA's Privacy Policy.

15. Timelines

- 15.1. If the circumstances of the complaint are such that adhering to the timelines outlined by this Policy will not allow a timely resolution to the complaint, the Discipline Panel may direct that these timelines be revised.

16. Records and Distribution of Decisions

- 16.1. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, sport clubs, federal or provincial governments, applicable registries, etc., may be advised of any decisions rendered in accordance with this Policy.
- 16.2. Alberta Basketball Association recognizes that a publicly available searchable database or registry of Respondents who have been sanctioned, or whose eligibility to participate in sport has in some way been restricted, may be maintained and may be subject to provisions in the Universal Code of Conduct to Prevent and Address Maltreatment in Sport.



- 16.3. ABA may publish a general statistical report of the activity that has been conducted pursuant to this Discipline and Complaints Policy. This report shall not contain, any information that is confidential under this policy, or that has been ordered to be kept confidential by a discipline or appeal panel, but may include the number of complaints reported to the Independent Third Party (for ABA and members), and statistics regarding the number of cases that were resolved through alternate dispute resolution, the Commissioner process, the discipline panel process, and the number of appeals filed pursuant to the Appeal Policy and whether the appeals were upheld, partially upheld or dismissed.

APPENDIX A – Reporting and Process Diagrams





APPENDIX B – Reporting of Decision & Sanctions

When sanctions are imposed, the decision shall include, at a minimum, the following details:
Jurisdiction.

1. Summary of the facts and relevant evidence.
2. Where applicable, the specific provision(s) of ABA's policies, bylaws, rules or regulations that have been breached.
3. Which party or organization is responsible for the costs of implementing any sanction.
4. Which organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction.
5. Any reinstatement conditions that the respondent must satisfy (if any).
6. Which organization is responsible for ensuring that the conditions have been satisfied; and
7. Any other guidance that will assist the parties to implement the external discipline panel's decision.