



## CODE OF CONDUCT with DISCIPLINARY PROCEDURE

**Applicability:** This *Code of Conduct with Disciplinary Procedure* document replaces all Water Polo Canada discipline, conduct, and harassment policies. In particular, the document replaces:

- Harassment and Non-Discrimination Policy and Procedure
- Code of Conduct – Board policy #R1
- Discipline Policy – Board policy #R3 (Feb 2003)
- Conflict Resolution Policy – Board policy #R4
- Dispute Resolution/Discipline – Board policy #R5
- Harassment Policy – Board policy #R8
- Discipline Policy (June 2012)
- Water Polo Canada: National Team Code of Conduct

**Preamble:** Water Polo Canada (WPC) has developed this *Code of Conduct with Disciplinary Procedure* document in order to protect and guide individuals associated with WPC. The first part of the document is a Code of Conduct that outlines the expected behaviour for all individuals associated with WPC. The second part of the document is a Disciplinary Procedure that describes how individuals and groups can easily submit a complaint about the conduct of individuals associated with WPC. Complaints will be handled fairly, quickly, and without bias. Adopted on the 17<sup>th</sup> of October 2015, this *Code of Conduct with Disciplinary Procedure* replaced all other pre-existing codes of conduct and discipline and complaint procedures throughout WPC operations.

### Definitions

1. The following terms have these meanings in this document:
  - a) *By-laws* – the by-laws of WPC, including any amendments
  - b) *Case Manager* – a neutral third party assigned to review complaints and assist with hearing procedures and administration (if required)
  - c) *Complaint* – a report by an individual or group delivered to WPC about a potential violation of WPC’s Code of Conduct
  - d) *Minor Infraction* – a potential minor violation of WPC’s Code of Conduct, as determined by the Case Manager, which can typically be handled by a person with authority. Minor Infraction is further defined in this document along with examples
  - e) *Major Infraction* – a potential major violation of WPC’s Code of Conduct, as determined by the Case Manager, which is typically handled by a formal hearing and a decision by a Discipline Panel. Major Infraction is further defined in this document along with examples
  - f) *Registrant* – any of the following who have applied for registration with WPC and who have been accepted as a Registrant: athletes, coaches, officials, clubs and volunteers (including individuals who have been appointed or elected to a volunteer position within or by a provincial/territorial water polo organization or as either a domestic or international representative of WPC in any capacity)
  - g) *WPC* – Water Polo Canada

### Purpose

2. Water Polo Canada’s (WPC’s) by-laws empower the WPC Board of Directors to discipline members and Registrants in accordance with the by-laws, rules, regulations, and written policies

of WPC. This Code of Conduct with Disciplinary Procedure describes the manner by which WPC can discipline Registrants.

3. Affiliation with WPC brings many privileges and benefits. At the same time, Registrants are expected to meet certain obligations including complying with WPC policies and this Code of Conduct. Irresponsible behaviour by Registrants can result in severe damage to the integrity of WPC.
4. Registrants must be aware that they are expected to model behaviour appropriate for the individual's role as a Registrant and a representative of WPC. This document outlines the conduct expected of Registrants and the Disciplinary Procedure that Registrants are subject to if there is a complaint about a Registrant's conduct.

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

5. The Code of Conduct applies to Registrants' conduct during WPC business, activities, and events including, but not limited to, competitions, tournaments, games, matches, practices, tryouts, training camps, and travel associated with WPC.
6. The Code of Conduct also applies to Registrants' conduct outside of WPC business, activities, and events when such conduct adversely affects relationships within WPC (and its work and sporting environment) or when it is detrimental, or perceived to be detrimental, to the image and reputation of WPC. Such applicability will be determined by WPC at its sole discretion.
7. Registrants 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. Registrants may be subject to additional discipline under the terms of this Code of Conduct.
8. At the discretion of the WPC Board of Directors, the Code of Conduct may be applied to employees of WPC. However, an employee of WPC found to have engaged in acts of violence or harassment against any other employee, worker, contractor, Registrant, customer, supplier, client, or other third party during business hours or at any WPC event or to have otherwise violated the Code of Conduct will be subject to appropriate disciplinary action subject to the terms of WPC's *Human Resources Policy* as well as the employee's Employment Agreement (if applicable) and not the disciplinary procedures outlined in this document.

### **Responsibilities**

9. All Registrants are responsible for maintaining and enhancing the dignity and self-esteem of Registrants and other individuals by:
  - a) Demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, socioeconomic status, gender identity, gender expression, sex, and sexual orientation
  - b) Focusing comments or criticism appropriately and avoiding public criticism of athletes, coaches, officials, organizers, volunteers, employees, or Registrants
  - c) Consistently demonstrating a spirit of sportsmanship, sport leadership, and ethical conduct
  - d) Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory

- e) Consistently treating individuals fairly and reasonably
- f) Ensuring adherence to the rules of Water Polo and the spirit of those rules

10. All Registrants are responsible for refraining from behaviour that can be considered **harassment, workplace harassment, workplace violence, and sexual harassment**. These four similar but separate legal concepts are defined below.

11. **Harassment** is defined as 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, threats, or outbursts
- b) The display of visual material which is offensive or which one ought to know is offensive in the circumstances
- c) Unwelcome remarks, jokes, comments, innuendo, or taunts
- d) Leering or other suggestive or obscene gestures
- e) Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions
- f) Practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance
- g) Any form of bullying
- h) Any form of hazing where hazing is defined as *“Any 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 class, number of years on the team, or athletic ability.”*
- i) Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing
- j) Unwelcome sexual flirtations, advances, requests, or invitations
- k) Physical or sexual assault
- l) 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
- m) Retaliation or threats of retaliation against an individual who reports harassment to WPC

12. **Workplace Harassment** is defined as vexatious comment or conduct - that is known or ought reasonably to be known to be unwelcome - against a worker in a workplace, either face-to-face or electronically. Workplace harassment should not be confused with legitimate, reasonable management actions that are part of the normal work function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute workplace harassment include, but are not limited to:

- a) Bullying
- b) Repeated offensive or intimidating phone calls or emails
- c) Inappropriate sexual touching, advances, suggestions or requests
- d) Displaying or circulating offensive pictures, photographs or materials in printed or electronic form
- e) Psychological abuse including abuse of power

- f) Personal harassment
- g) Discrimination
- h) Intimidating words or conduct (offensive jokes or innuendos)
- i) Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning

13. **Workplace Violence** is defined as the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Types of behaviour that constitute workplace harassment include, but are not limited to:

- a) Verbal threats to attack a worker
- b) Sending to or leaving threatening notes or emails for a worker
- c) Making threatening physical gestures to a worker
- d) Wielding a weapon in a workplace
- e) Hitting, pinching or unwanted touching of a worker which is not accidental
- f) Throwing an object at a worker
- g) Blocking normal movement or physical interference of a worker, with or without the use of equipment
- h) Sexual violence against a worker
- i) Any attempt to engage in the type of conduct outlined above

14. **Sexual Harassment** is defined as 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
- b) Display 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) Persistent unwanted contact

#### *Doping and Drug Use*

15. Registrants must abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, WPC 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 Procedures. WPC will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program imposed by any other sport organization.

16. Registrants 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 (CCES).

#### *Inappropriate Behaviour*

17. Registrants must avoid behaviour considered to be inappropriate. Particularly, Registrants must:
- a) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities;
  - b) Not be in possession or use any illegal substance and/or performance enhancing drugs;
  - c) Additionally, inappropriate behaviour shall include:
    - a. Gross misbehaviour;
    - b. Reporting to an activity in an impaired condition.

As well, the registrant is responsible for the following:

- d) Respect the property of others and not wilfully cause damage;
- e) Adhere to all federal, provincial, municipal and host country laws.
- f) If under the age of majority in the location of the WPC sanctioned activity (i.e. competition, training camp), there will be no possession or use of alcohol;
- g) If over the age of majority in the location of the WPC sanctioned activity (i.e. competition, training camp), there will be no supplying of alcohol to minors;

*Directors, Committee Members, Volunteers, and Staff*

18. In addition to sections 9 through 17 above, WPC's Directors, Committee Members, Volunteers, and Staff have additional responsibilities to:
- a) Function primarily as a WPC Director, Committee Member, Volunteer or Staff member and not as a member of any other particular group or constituency
  - b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of WPC business and the maintenance of Registrants' confidence
  - c) Ensure that WPC's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
  - d) Conduct themselves openly, professionally, lawfully and in good faith in the best interests of WPC
  - e) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
  - f) Behave with decorum appropriate to both circumstance and position and be fair, equitable, considerate, and honest in all dealings with others
  - g) Keep informed about WPC activities, the provincial Water Polo community, and general trends in the sectors in which they operate
  - h) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which WPC is incorporated
  - i) Respect the confidentiality appropriate to issues of a sensitive nature
  - j) Ensure that all Registrants are given 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
  - l) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
  - m) When appropriate, have a thorough knowledge and understanding of all WPC governance documents
  - n) Not engage in a sexual relationship with an athlete under 18 years old, or an intimate or sexual relationship with an athlete over the age of 18 if the coach is in a position of power, trust, or authority over the athlete

- o) Conform to the bylaws and policies approved by WPC, in particular this *Code of Conduct* as well as the *Conflict of Interest Policy* and *Confidentiality Policy*

#### *Coaches*

19. In addition to sections 9 through 17 above, WPC's Coaches have many additional responsibilities. The coach-athlete relationship is a privileged one and plays a critical role in the person, sport, and athletic development of the athlete. Coaches must understand and respect the inherent power imbalance that exists in this relationship and must be extremely careful not to abuse it. Coaches will:

- a) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the involved athletes
- 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 minor athletes) with the information necessary to be involved in the decisions that affect the athlete
- f) Act in the best interest of the athlete's development as a whole person
- g) Respect other coaches
- h) Meet the highest standards of credentials, integrity and suitability, including but not limited to such considerations established by WPC's *Screening Policy*
- i) Self-report any ongoing criminal investigation, conviction, or existing bail conditions, including those for violence, child pornography, or possession, use, or sale of any illegal substance
- 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 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 an athlete under 18 years old, or an intimate or sexual relationship with an athlete over the age of 18 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

#### *Athletes*

20. In addition to sections 9 through 17 above, WPC's Athletes have additional responsibilities to:

- a) Report any medical problems 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) Properly 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 WPC's rules and requirements regarding clothing and equipment
- e) Never ridicule a participant for a poor performance or practice
- f) Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other athletes, officials, coaches, or spectators
- g) Dress in a manner representative of WPC; focusing on neatness, cleanliness, and discretion
- h) Act in accordance with WPC's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

### *Officials*

21. In addition to sections 9 through 17 above, WPC'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's description while supporting the work of other officials
  - c) Act as an ambassador of WPC by agreeing to enforce and abide by national and provincial rules and regulations
  - d) Take ownership of actions and decisions made while officiating
  - e) Respect the rights, dignity, and worth of all individuals
  - f) Not publicly criticize other officials or any club or association
  - g) Assist with the development of less-experienced officials and minor officials
  - h) Conduct themselves openly, impartially, professionally, lawfully, and in good faith in the best interests of WPC, athletes, coaches, other officials, and parents
  - i) Be fair, equitable, considerate, independent, honest, and impartial in all dealings with others
  - j) Respect the confidentiality required by issues of a sensitive nature, which may include ejections, defaults, forfeits, discipline processes, appeals, and specific information or data about Registrants
  - k) 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
  - l) When writing reports, set out the true facts and not attempt to justify any decisions
  - m) Dress in proper attire for officiating

### **Disciplinary Procedure - Application**

22. The Disciplinary Procedure applies to Registrants' conduct during WPC business, activities, and events including, but not limited to, competitions, tournaments, games, matches, practices, tryouts, training camps, and travel associated with WPC.
23. The Disciplinary Procedure does not prevent discipline from being applied, during a competition or event, according to specific procedures in place for the particular event.

24. Registrants may also be subject to the disciplinary rules and processes of other associations, clubs, or organizations. WPC will respect decisions made by those bodies.

### **Reporting a Complaint**

25. Any member of the public, including but not limited to parents, athletes, club or organization representatives, coaches, or representatives of WPC is encouraged to report violations of the Code of Conduct to WPC. These reports are considered 'complaints'.
26. Complaints must be in writing and signed, and must be reported to WPC within fourteen (14) days of the alleged violation of the Code of Conduct.
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 WPC. This decision may not be appealed.

### **Identity of Complainant**

28. Anonymous complaints may be accepted at the sole discretion of WPC.
29. At WPC's discretion, WPC may act as the complainant and initiate the complaint process under the terms of this Disciplinary Procedure. In such cases, WPC will identify an individual to represent WPC.
  - a. Where WPC exercises discretion under section 29 to act as the complainant and initiate the complaint process, WPC shall appoint an anonymous complainant's Advocate, if requested by the Anonymous Complainant
  - b. The Anonymous Complainant's Advocate will be a volunteer role and will be appointed by WPC after ensuring that the individual has no other personal or professional interest in the complaint
  - c. The Anonymous Complainant's Advocate will be responsible to liaise with WPC to receiving information about the status and outcome of procedures and provide that information to the Anonymous Complainant

### **Mediation**

30. Before any complaint proceeds to the formal stage, the dispute will first be reviewed by WPC's Executive Director (or designate) with the objective of resolving the dispute 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 Administration**

31. Should mediation not resolve the dispute, WPC'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 WPC. 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 this Procedure. If the Case Manager determines the complaint is frivolous or vexatious or



- outside the jurisdiction of this Procedure, the complaint will be dismissed immediately. The Case Manager's decision to accept or dismiss the complaint may not be appealed
- b) Determine if the complaint is a minor or major infraction
  - c) Identify the Parties to the complaint, which may include the complainant
  - d) Appoint the Panel, if necessary, in accordance with this Procedure
  - e) Coordinate all administrative aspects of the complaint
  - f) Provide administrative assistance and logistical support to the Panel as required
  - g) Provide any other service or support that may be necessary to ensure a fair and timely proceeding
32. The Case Manager will inform the Parties if the incident is to be dealt with as a minor infraction or major infraction and the matter will be dealt with according to the applicable section of this Procedure relating to minor or major infraction.

### **Jurisdiction**

33. 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 the procedures set out in this Procedure.
34. This Procedure does not take precedence over any dispute resolution procedure contained within a contract, employee agreement, or other formal written agreement.
35. Any infractions or complaints occurring within 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, training, activity or event only. Further sanctions may be applied but only after review of the matter in accordance with the procedures set out in this document.

### **Minor Infractions**

36. Minor infractions are **single incidents** of failing to achieve expected standards of conduct that generally do not result in harm to others, WPC, or 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 or argument
  - c) Conduct contrary to the values of WPC
  - d) Being late for, or absent from, WPC events and activities at which attendance is expected or required
  - e) Non-compliance with WPC's policies, procedures, rules, or regulations
  - f) Minor violations of WPC's *Code of Conduct*
37. 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, staff, officials, coaches, organizers, or WPC decision-makers.
38. Provided that the Respondent being disciplined is told the nature of the infraction and has an opportunity to provide information concerning the incident, procedures for dealing with minor

infractions will be informal (compared to the procedures for major infractions) and will be determined at the discretion of the person responsible for discipline of such infractions (as noted above).

39. Penalties for minor infractions, which may be applied singularly or in combination, include the following:
  - a) Verbal or written reprimand from WPC to one of the Parties
  - b) Verbal or written apology from one Party to the other Party
  - c) Service or other voluntary contribution to WPC
  - d) Removal of certain privileges of membership for a designated period of time
  - e) Suspension from the current competition, activity, or event
  - f) Fines
  - g) Any other sanction considered appropriate for the offense
  - h) Discipline specific to the event or competition, if applicable
  
40. Minor infractions that result in discipline will be recorded and records will be maintained by WPC. Repeat minor infractions may result in further such incidents being considered a major infraction.

### **Major Infractions**

41. Major infractions are instances of failing to achieve the expected standards of conduct that result, or have the potential to result, in harm to other persons, to WPC, 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
  - c) Incidents of physical abuse
  - d) Behaviour that constitutes harassment, sexual harassment, or sexual misconduct
  - 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 WPC's image, credibility, or reputation
  - h) Disregard for WPC's bylaws, policies, rules, and regulations
  - i) Major or repeated violations of WPC's *Code of Conduct*
  - j) Intentionally damaging WPC property or improperly handling WPC monies
  - k) Abusive use of alcohol, any use or possession of alcohol by minors, or use or possession of illicit drugs and narcotics
  - l) Any possession or use of banned performance enhancing drugs or method
  
42. 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, training, 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 the procedures set out in this Procedure.
  
43. Major infractions will be handled using the Hearing Procedure section described in this Disciplinary Procedure, except where a dispute resolution procedure contained within a contract, employee agreement, or other formal written agreement takes precedence.

### **Suspension Pending a Hearing**

44. WPC may determine that an alleged incident is of such seriousness as to warrant immediate suspension of a Registrant pending a hearing and a decision of the Panel.

### **Hearing Procedure**

45. The Case Manager will notify the Parties that the complaint is potentially legitimate and the incident will go to a hearing. The Case Manager, in consultation with the Panel, will then decide the procedure, format and timelines under which the complaint will be heard. These procedural decisions are at the sole discretion of the Case Manager and may not be appealed.
46. The Case Manager will appoint a Discipline 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, one of the Panel's members will serve as the Chair.
47. If the Respondent acknowledges the facts of the incident, he or she may waive the hearing, in which case the Panel will determine the appropriate disciplinary sanction. The Panel may still hold a hearing for the purpose of determining an appropriate sanction.
48. If a Party chooses not to participate in the hearing, the hearing may still proceed.
49. As determined by the Case Manager, the hearing may involve an oral in-person hearing, an oral hearing by telephone, a hearing based on a review of documentary evidence submitted in advance of the hearing, or a 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 appropriate 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 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 oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious and will place such weight on the evidence as it deems appropriate
  - f) If the Panel is made up of three persons, the decision will be by a majority vote
50. If a decision may affect another Registrant to the extent that the other Registrant would have recourse to a complaint in their own right, that Registrant will become a Party to the complaint in question and will be bound by the decision. The Case Manager will make arrangements for the other Registrant(s) to join the proceedings.
51. In fulfilling its duties, the Panel may obtain independent advice.

### **Decision**

52. After hearing the matter, the Panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. Within fourteen (14) days of the hearing's conclusion, the Panel's

written decision, with reasons, will be distributed to all Parties, the Case Manager, and WPC. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued before the end of the fourteen (14) day period.

### **Sanctions**

53. The Panel may apply the following disciplinary sanctions, singularly or in combination:

- a) Verbal or written reprimand from WPC
- b) Verbal or written apology
- c) Further education, training, or counselling
- d) Service or other voluntary contribution to WPC
- e) Removal of certain privileges for a designated period of time
- f) Suspension from certain competitions, activities, or events
- g) Expulsion from the WPC
- h) Fines
- i) Payment of the cost of repairs for property damage
- j) Any other sanction considered appropriate for the offense

54. 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.

55. Infractions that result in discipline will be recorded and records will be maintained by WPC.

### **Criminal Convictions**

56. A Registrant's conviction for any of the following *Criminal Code* offenses will be deemed an infraction under this Policy and will result in automatic expulsion from the WPC:

- a) Any child pornography offences
- b) Any sexual offences
- c) Any offence of physical or psychological violence
- d) Any offence of assault
- e) Any offence involving trafficking of illegal drugs

### **Confidentiality**

57. The complaints and discipline 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 released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

### **Timelines**

58. 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 Panel may direct that these timelines be revised.

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

59. Infractions that result in discipline will be recorded and maintained by the WPC.

60. National and provincial sport associations, as well as any clubs or other organizations, with which the Registrant is affiliated, may be advised of any decisions rendered under this Procedure.
61. Decisions are matters of public interest and will be publicly available with the names of the Parties redacted. Names of Registrants disciplined may be disclosed to the extent necessary to give effect to any sanction imposed.

**Appeals Procedure**

62. The decision of the Panel may be appealed in accordance with the WPC's *Appeal Policy*.