



ABILITIES CENTRE POLICIES

STATEMENT of POLICY and PROCEDURE			
Chapter:	Programs & Services	SPP No.	PS 3.03
Section:	General Program Policies	Issued:	Sept 10, 2022
Subject:	MEMBER AND PARTICIPANT DISCIPLINE POLICY	Effective:	Sept 10, 2022
Issue To:	All Manual Holders	Page:	1 of 6
		Replaces:	PS 3.03
Issued By:	General Manager & Chief Operating Officer	Issued:	Sept 2022

1 POLICY

1.01 Abilities Centre is committed to providing a safe and inclusive environment that is characterized by the values of being person-centred, genuine, flexible, innovative and collaborative.

Abilities Centre has zero tolerance for any type of abuse. Individuals are required to report instances of abuse, suspected abuse, harassment, discrimination, bullying or maltreatment to Abilities Centre staff to be immediately addressed under the terms of this policy or, where required, for Abilities Centre to report the incident to the appropriate public authorities.

1.02 Participation in Abilities Centre programs and services is a privilege and Abilities Centre encourages all individuals to exercise self-discipline and accountability, abiding by their respective facility and program-specific Code of Conduct. However, repeated, wilful or inexcusable breaches of policies, Code of Conduct, Behavior Guidelines or normal ethics are not acceptable and shall be dealt with in accordance with the provisions of this Statement of Policy and Procedure.

1.03 Depending on the severity of the concern and the number of past occurrences, disciplinary action may call for any of five corrective steps: verbal warning, written warning, awareness training, short term membership or program suspension, or termination of membership/program participation. Any step of the disciplinary procedure may be repeated more than once, if necessary.

2 PURPOSE

2.01 The purpose of this Statement of Policy and Procedure is to ensure that Abilities Centre members and program participants comply with all policies, Bylaws, rules and regulations, including the **Abuse Education and Reporting Policy** and their respective membership and/or program **Code of Conduct**.

3 SCOPE

3.01 The Statement of Policy and Procedure applies to Abilities Centre facility members, and program participants and their families/guardians.



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4 RESPONSIBILITY

- 4.01 This policy applies to matters that may arise during the business, activities, programs or daily operations of Abilities Centre.
- 4.02 Abilities Centre staff reserve the right to take steps necessary to ensure the safety, security and well-being of all facility members, program participants, visitors and staff and/or to preserve Abilities Centre property, including associated program facilities, and/or the reputation of Abilities Centre and its partners.
- 4.03 Any individual that experiences, becomes aware of, or hears of, alleged actions or complaints of instances of abuse, maltreatment, bullying, discrimination or harassment must report them immediately.
- 4.04 Retaliation or reprisals against any individual who has complained under this Statement of Policy and Procedure or has provided information regarding a complaint are prohibited. Any retaliation or reprisals are subject to immediate corrective action up to, and including, membership termination or program expulsion. Alleged retaliation or reprisals are subject to the same complaint procedures and penalties as complaints of discrimination and harassment.

5 DEFINITIONS

- 5.01 **Complaint** - An expression of dissatisfaction made per Section 7, *Procedures for Discipline*, of this Policy.
- 5.02 **Complainant** - The person making a Complaint.
- 5.03 **Days** - Refers to working days, not including weekends and holidays.
- 5.04 **Individuals**- refers to all categories of members and/or program participants associated or registered with Abilities Centre and/or affiliated service.
- 5.05 **Progressive Discipline Chart** - As referenced in Appendix A, a clear definition of prohibited behaviors and the associated consequences for members and program participants who are in breach of behavior guidelines outlined in the Code of Conduct and Ethics.
- 5.06 **Minor infractions** - A single incidence of behaviour resulting in a breach of the expected standards of conduct that generally does not have the potential to result in significant harm to others. Examples of minor infractions are listed under Level 1 and Level 2 in Appendix A: *Progressive Discipline Chart*.
- 5.07 **Repeat Infraction** - Occurs when an individual commits Minor Infractions more than once.
- 5.08 **Major infractions** - Are instances of misconduct that result, or have the potential to result, in harm to other persons, and/or to Abilities Centre or its reputation. Examples of major infractions are listed under Level 3 and Level 4 in Appendix A: *Progressive Discipline Chart*.
- 5.09 **Discipline Hearing Panel** – A group of individuals comprised of Abilities Centre staff, and related program coaches, volunteers or partners who will act as a review panel for



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any Major infractions that require in-depth investigation. The Panel will be chaired by a member of Abilities Centre's Executive Leadership Team (or an assigned delegate) as well as at least one (1) individual from Abilities Centre's Senior Management Team who is not directly involved in the program of the Respondent, and any external program partners as deemed necessary.

6 REFERENCE and RELATED STATEMENTS of POLICY and PROCEDURE

Abilities Centre, Program Specific: Participant Code of Conduct

Sport Canada: Safe Sport Policy

HR 5.02B ON – Complaint Resolution Policy

HR 6.02B ON – Abuse Education and Reporting Policy

7 PROCEDURE FOR DISCIPLINE

7.01 Offences of the **Member and Participant Code of Conduct and Ethics** are classified into four (4) levels based on the severity of the offense and the frequency of the actions and/or behaviors (See Appendix A: *Progressive Discipline Chart* for examples of Infractions within each level).

All program participants will be provided with education on, and an introduction to, the program and/or Abilities Centre's Code of Conduct. All program participants will sign off on a program-specific Code of Conduct at the onset of each program year. All program participants will be aware of actions that would constitute a breach of the Discipline Policy and the associated consequences of those actions.

- a. Any individual member, program participant, contractor, coach, Abilities Centre staff, a representative from another organization, institution or facility, parent/guardian, or a member of the community at large may report any incident to Abilities Centre staff. Upon receiving information regarding an infraction, an Abilities Centre Incident Report will be completed and submitted to the Program Lead and/or their Direct Report.
- b. Notices regarding the procedures outlined in this policy will be sent via email communication to the member, program participant, and/or their parent or guardian (where necessary). All correspondence will be deemed to have been received and read two (2) days after delivery.

7.02

- a. Program/facility staff, contractors, coaches or, where applicable, classroom teachers are responsible for handling Level 1 (Minor) Infractions.
- b. Program Managers and/or Program Directors are responsible for handling Repeat Infractions and Level 2 and Level 3 Infractions.



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- c. Any Level 4 Infractions should be reported immediately to the Executive Leadership Team and/or an assigned delegate. The Executive Leadership Team will be responsible for contacting local authorities as deemed necessary.
- d. Throughout any process of gathering information and/or interviewing individuals involved in an alleged infraction, all interviews and/or conversations will be led by Abilities Centre staff with a minimum of two (2) individuals represented by Abilities Centre staff, contractor, or partner, dependent on the program, during each interview.
- e. If an infraction has been identified as a Major Infraction, the case will be referred to a member of Abilities Centre's Executive Leadership Team (or an assigned delegate), who will act as the lead on the investigation and the Chair of the Discipline Hearing Panel.
- f. The opportunity for Resolution Before or During an Investigation and to accept responsibility for an infraction will be offered at any point during the investigation.
- g. The Discipline Hearing Panel may admit as evidence at a hearing, whether it may be admissible or not in a civil or criminal court, any oral testimony, any document, any visual or digital recording, and/or other object that is relevant to the proceedings. The Panel may exclude anything unduly repetitious.
- h. The Respondent(s) will normally be required to answer for themselves during the hearing but are entitled to assistance or representation from an adult or support person of their choosing. If the Respondent(s) are identified as minor(s) (under the age of 18), a parent and/or guardian will be notified and be present during the hearing.
- i. Based on the outcomes of the investigation, sanctions may be implemented to the Respondent(s). Possible sanctions are outlined in Appendix A: Progressive Discipline Chart.
 - i. The sanctions listed in Appendix A may be used independently, or in combination, for any infraction.
 - ii. If an outside organization or program partner has imposed a sanction on the Respondent(s) prior to the meeting, the Investigating Officer may take this into consideration and may choose to uphold the imposed sanction and/or impose additional sanctions.
- j. Any unproven allegation does not mean that harassment did not occur, or that there was a deliberate false allegation, but rather that there is insufficient evidence to proceed, or that while the complainant may have genuinely had reason to believe that there was harassment, investigation has not borne out the complaint.
- k. All investigations, communications, and sanctions for each complaint and/or allegation will be recorded and filed via Incident Reports. Any incident involving Public Authorities and/or legal counsel will remain confidentially with the Executive Leadership Team.