SAFE SPORT

POLICY

Approved by the Board of Directors
April 9, 2025

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INTRODUCTION

SWSA has a fundamental obligation and responsibility to protect the health, safety and physical and mental well-being of every Individual that is involved in the SWSA community.

SWSA takes any situation involving misconduct, Maltreatment and Prohibited Behaviour very seriously; for this reason, SWSA is collectively committed to enacting and enforcing strong, clear, and effective policies and processes for preventing and addressing all forms of misconduct, Maltreatment and Prohibited Behaviour.

This Safe Sport Policy Manual contains policies that apply to the SWSA community in the province of Saskatchewan. The policies are intended to promote a safe sport environment in a manner that allows for consistent, immediate, appropriate and meaningful action should any issues arise, but also to prevent issues from arising by communicating expected standards of behaviour to all participants.

SWSA adopted the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) on April 9, 2025 The UCCMS shall therefore be considered as incorporated by reference in this Safe Sport Policy Manual and will apply, as amended from time to time by the relevant functions of Abuse-Free Sport, to all Individuals as a condition of their participation in SWSA adaptive sport in Saskatchewan.

Where applicable, any allegations involving Maltreatment and/or Prohibited Behaviour, as those terms are defined in the UCCMS, as amended from time to time by the Sport Dispute Resolution Centre of Canada (SDRCC), that involves a UCCMS Participant, must be Reported directly to the Office of the Sport Integrity Commissioner (OSIC)[1], which will manage the matter in accordance with the Canadian Sport Dispute Resolution Code, and any other relevant and applicable policies.

Any allegations of an alleged breach of any of the policies included or referred to in this Safe Sport Policy Manual, including those involving Maltreatment and/or Prohibited Behaviour that do not fall within the authority of OSIC, as described above, must be Reported to Sask Sport's Independent Third Party, and shall be managed in accordance with this Safe Sport Policy Manual (and any other applicable policies). If the Independent Third Party receives a Report involving allegations of Maltreatment and/or Prohibited Behaviour that should have been Reported to OSIC as described above, they shall refer the matter to the OSIC and notify the Individual(s) that made the complaint of such action.

Except for those matters that must be reported to the OSIC, upon receipt of a Report from an Individual, the Independent Third Party will determine the appropriate forum and manner to address the complaint.

It should also be noted that certain policies found in this Safe Sport Policy Manual also apply to matters beyond safe sport (i.e., the *Appeal Policy*). As such, these policies will also be published on SWSA's website so that they are accessible and applicable in all relevant areas.

Lastly, SWSA notes and wishes to advise the Saskatchewan SWSA community that, if any Policy, in whole or in part, is excerpted from this Safe Sport Policy Manual, any such action must be taken with the knowledge, and disclosure to any receiving party, that the Policy is part of the Safe Sport Policy Manual, which may impact its application or understanding.[2]

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[1] The Office of the Sport Integrity Commissioner is also referred to as Abuse-Free Sport.

[2] Circumstances may arise where one of the policies – or certain sections of a policy – in this Safe Sport Policy Manual are referenced in a document or communication outside of this Safe Sport Policy Manual. In such circumstances, it is important for the reader to understand that the policy or section(s) of the policy that are referenced in this manner may be required to be read in conjunction with other policies or the rest of the policy (where only certain sections are referenced) in order to have a full comprehension of how the policies must be applied.

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

DEFINITIONS

The terms defined below shall apply to SWSA policies included in this SWSA Safe Sport Policy Manual. Defined terms are capitalized in the policies included herein.

1. "*Affected Party*" – any individual or entity, as determined by the Appeal Manager, who may be affected by a decision rendered under the *Appeal Policy* and who may have recourse to an appeal in their own right under the *Appeal Policy*.
2. "*Appellant*" – the Party appealing a decision pursuant to the *Appeal Policy*.
3. "*Appeal Manager*" – an individual appointed by SWSA to oversee the administration of the *Appeal Policy*. The Appeal Manager's responsibilities shall include those as described in the *Appeal Policy*. The Appeal Manager shall be independent of SWSA. Appeal Managers that satisfy the relevant requirements to perform such duties can be found on the Sask Sport website here.
4. *"Athlete"* – includes any Individual who is registered with SWSA (either directly or indirectly through their club, national sport organization or other sport organization) for either recreational or competitive purposes.
5. *"Board*" – the Board of Directors of SWSA
6. *"Case Manager"* – an independent individual appointed by SWSA to fulfill the responsibilities described in the *Discipline and Complaints Policy*. In order to be appointed as a Case Manager, the individual must have relevant experience and skills to manage complaints and perform their duties, either as a legal practitioner or sport administrator. Case management service providers that satisfy the relevant requirements to perform such duties can be found on the Sask Sport website here.
7. "*Complainant*" – the Party making a complaint pursuant to the *Discipline and Complaints Policy* and as referred to in the *Investigations Policy*.
8. *"Complaint Resolution Officer"* – an individual appointed by SWSA to handle the duties of the Complaint Resolution Officer as described in the *Discipline and Complaints Policy*. Complaint Resolution Officers that satisfy the relevant requirements to perform such duties can be found on the Sask Sport website here.
9. "*Criminal Record Check (CRC)*" – a search of the RCMP Canadian Police Information Centre (CPIC) system for adult convictions
10. "*Days*" – calendar days.[3]
11. "*Director of Sanctions and Outcomes*" – the individual(s) responsible for overseeing the imposition of Provisional Measures, agreed outcomes, Sanctions and appearing before the Safeguarding Tribunal or the Appeal Tribunal in cases arising from a potential breach of the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) (or other conduct rules, as applicable) within the jurisdiction of the Office of the Sport Integrity Commissioner (OSIC).
12. "*Discrimination*" – as defined in the UCCMS and as amended from time to time by the Sport Dispute Resolution Centre of Canada (SDRCC).

[3] For the purpose of calculating deadlines, the following shall apply: the day of the act is not included in the calculation (i.e., the date of receipt of a decision is not Day 1); instead, the deadline would start on the day following receipt of the decision and would expire at midnight (in the location of the individual seeking to file an appeal) on the last day of the period. If the end date is a Saturday, a Sunday or a legal holiday, the period runs until the next day that is not a Saturday, a Sunday or a legal holiday. For example, if an Individual receives a decision on Thursday December 17, 2020, the 14-day deadline to appeal this decision starts on Friday December 18, 2020 and would expire on Friday January 1, 2021. However, since January 1, 2021 is a legal holiday, January 2, 2021 is a Saturday, and January 3, 2021 is a Sunday, the deadline to appeal would expire at midnight (in the location of the individual seeking to file an appeal) on January 4, 2021.

13. "*Enhanced Police Information Check (E-PIC)*" – a Criminal Record Check plus a search of local police information, available from Sterling Backcheck.
14. "*Event*" – an event sanctioned by SWSA and which may include a social Event.
15. "*Harassment*" – a vexatious comment (or comments) or conduct against an Individual or group, irrespective of whether the comment or conduct occurs in person or via any other media, including social media, which is known or ought to reasonably be known to be unwelcome. Types of behaviour that constitute Harassment include, but are not limited to:
    a) Written or verbal abuse, threats, or outbursts;
    b) Persistent unwelcome remarks, jokes, comments, innuendo, or taunts;
    c) Racial harassment, which is racial slurs, jokes, name calling, or insulting behaviour or terminology that reinforces stereotypes or discounts abilities because of racial or ethnic origin;
    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 endanger a person's safety, or which may negatively affect performance;
    g) Hazing, which is any form of conduct which exhibits any potentially humiliating, degrading, abusive, or dangerous activity, which does not contribute to any Individual's positive development, but is required to be accepted as part of a team or group, regardless of the individual'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 or group member based on class, number of years on the team or with the group, or ability;
    h) Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing;
    i) Deliberately excluding or socially isolating a person from a group or team;
    j) Persistent 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 person or group but have the same effect of creating a negative or hostile environment; and
    m) Retaliation or threats of retaliation against a person who Reports harassment to SWSA.
16. "*Independent Third Party*" – the independent organization or individual(s) retained by Sask Sport to receive complaints and to fulfill the responsibilities outlined in the *Discipline and Complaints Policy*, *Investigation Policy* and *Appeal Policy*, as applicable.
17. "*Individuals*" – refers to all categories of members and/or Registered Participants defined in the Bylaws of SWSA as well as all people employed by, contracted by, or engaged in activities with SWSA including, but not limited to, employees, contractors, Athletes, coaches, officials, volunteers, managers, administrators, parents or guardians, spectators, committee members, directors or officers.
18. "*Maltreatment*" – as defined in the UCCMS, and as amended from time to time by the SDRCC.
19. "*Members*" – as defined in the SWSA Bylaws
20. "*Minor*" – any Individual who is under the age of 18. Adult Individuals are responsible for knowing the age of a Minor.
21. "*OSIC*" – the Office of the Sport Integrity Commissioner, which is an independent division of the SDRCC, which comprises the functions of the Sport Integrity Commissioner.
22. "*Parties*" – in the context of a complaint under the *Discipline and Complaints Policy*, the Complainant and Respondent; in the context of an appeal under the *Appeal Policy*, the Appellant, Respondent and Affected Party (or Parties).

23. "*Person in Authority*" – any Individual who holds a position of authority within SWSA including, but not limited to, coaches, officials, managers, support personnel, chaperones, committee members, directors or officers. In addition to the responsibilities described for Individuals in the *Code of Conduct and Ethics*, a Person in Authority shall be responsible for knowing what constitutes Maltreatment and Prohibited Behaviour.
24. "*Provisional Suspension*" – means that the Individual is barred temporarily from participating in any capacity in any Event or activity of SWSA (or, as applicable, SWSA's Members), or as otherwise decided pursuant to the *Discipline and Complaint Policy*, prior to the decision rendered in a hearing conducted pursuant to the *Discipline and Complaints Policy*.
25. *"Power Imbalance"* – as defined in the UCCMS and as amended from time to time by the SDRCC.
26. *"Prohibited Behaviour"* – as defined in the UCCMS and as amended from time to time by the SDRCC.
27. *"Prohibited Method"* – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
28. *"Prohibited Substance"* – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
29. "*Reporting (or Report)*" – as defined in the UCCMS and as amended from time to time by the SDRCC.
30. *"Respondent"* – the Party responding to a complaint or investigation; or, in the case of an appeal, the body or organization whose decision is being appealed, or the Individual who was the subject of a decision that is being appealed.
31. *"PSO Safe Sport Liaison"* – The Executive Director of SWSA (or President in their absence) is responsible for acting as a representative of SWSA and lead point of contact for any safe sport or dispute resolution matters. This includes, but is not limited to; 1) working directly with the Independent Third Party to select Complaint Resolution Officers, Case Managers and Appeal Managers from approved listing (found on Sask Sport's website), 2) ensuring major and minor sanctions are enforced, 3) ensuring mediation agreements are approved by PSO/club and upheld, 4) long-term suspensions (1 year or longer) are reported to Sask Sport, 5) screening requirements and educational/training requirements are enforced. Safe Sport Liaisons must have knowledge and experience in board governance and must have completed the Governance Essentials e-learning course offered by the Canadian Centre for Ethics in Sport.
32. "*Sexual Harassment*" – as defined in the UCCMS and as amended from time to time by the SDRCC.
33. "*Social media"* – the catch-all term that is applied broadly to computer-mediated communication media such as blogs, YouTube, Facebook, Instagram, Tumblr, Snapchat, TikTok, and Twitter.
34. "*SDRCC*" – the Sport Dispute Resolution Centre of Canada.
35. "*Tampering*" – as defined in the Canadian Anti-Doping Program, as amended from time to time by the Canadian Centre for Ethics in Sport.
36. "*UCCMS*" – the Universal Code of Conduct to Prevent and Address Maltreatment in Sport, as amended from time to time by the SDRCC.
37. "*UCCMS Participant*" - an Individual affiliated with SWSA's national sport organization, and who has signed the required UCCMS Participant consent form.
38. "*Vulnerable Participant*" – as defined in the UCCMS and as amended from time to time by the SDRCC.
39. "*Vulnerable Sector Check (VSC)*" – a detailed check that includes a search of the RCMP Canadian Police Information Centre (CPIC) system, local police information, and the Pardoned Sex Offender database.
40. "*Workplace*" – any place where events, business or work-related activities are conducted. Workplaces include but are not limited to, the office or facilities of SWSA work-related social functions, work assignments outside offices, work-related travel, the training, and competition environment (wherever located), and work-related conferences or training sessions.

41. *"Workplace Harassment"* – vexatious comment(s) or conduct against a worker in a Workplace that is known or ought reasonably to be known to be unwelcome. Workplace Harassment should not be confused with legitimate, reasonable management actions that are part of the normal work/training 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) Workplace pranks, vandalism, bullying or hazing;
    c) Repeated offensive or intimidating phone calls, text messages or emails;
    d) Inappropriate sexual touching, advances, suggestions or requests;
    e) Displaying or circulating offensive pictures, photographs or materials in printed or electronic form;
    f) Psychological abuse;
    g) Excluding or ignoring someone, including persistent exclusion of a person from work-related social gatherings;
    h) Deliberately withholding information that would enable a person to do his or her job, perform or train;
    i) Sabotaging someone else's work or performance;
    j) Gossiping or spreading malicious rumours;
    k) Intimidating words or conduct (offensive jokes or innuendos); and
    l) Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning.
42. "*Workplace Violence*" – the use of or threat 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 Violence include, but are not limited to:
    a) Verbal or written threats to attack;
    b) Sending or leaving threatening notes, text messages or emails;
    c) Physically threatening behaviour such as shaking a fist at someone, finger pointing, destroying property, or throwing objects;
    d) Wielding a weapon in a Workplace;
    e) Hitting, pinching or unwanted touching which is not accidental;
    f) Dangerous or threatening horseplay;
    g) Physical restraint or confinement;
    h) Blatant or intentional disregard for the safety or wellbeing of others;
    i) Blocking normal movement or physical interference, with or without the use of equipment;
    j) Sexual violence; and
    k) Any attempt to engage in the type of conduct outlined above.

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

ATHLETE PROTECTION POLICY

Effective date	April 9, 2025
Archived date	
Date last reviewed	April 9, 2025
Scheduled review date	2026
Replaces and/or amends	Operational Policy Manual: Communication & Social Media (1.6), Addendum to Safety & Medical (1.19), Board approved 24 March 2021
Approved by and date	SWSA Board of Directors, April 9, 2025

Purpose

1. This Athlete Protection Policy describes how Persons in Authority shall maintain a safe sport environment for all Athletes.

Interactions between Persons in Authority and Athletes – the 'Rule of Two'

2. SWSA and its Members strongly recommend the 'Rule of Two' for all Persons in Authority who interact with Athletes, whether in person or remotely (i.e., in virtual settings). The Coaching Association of Canada describes the intention of the 'Rule of Two' as follows:

> A coach must never be alone or out of sight with a minor athlete. Two NCCP trained or certified coaches should always be present with an athlete, especially a minor athlete, when in a potentially vulnerable situation such as in a locker room or meeting room. All one-on-one interactions between a coach and an athlete must take place within earshot and in view of a second coach except for medical emergencies. One of the coaches must also be of the same gender as the athlete. Should there be a circumstance where a second screened and NCCP trained or certified coach is not available, a screened volunteer, parent, or adult can be recruited.

3. SWSA recognizes that fully implementing the 'Rule of Two', as described above (and modified accordingly for Persons in Authority), in all circumstances, may not always be possible. Consequently, at a minimum, interactions between Persons in Authority and Athletes must respect the following:
    a) Unless prohibited by public health order, the training and competition environments should be open to observation so that all interactions between Persons in Authority and Athletes are observable.
    b) Private or one-on-one situations must be avoided unless they are open and observable by another adult or Athlete.
    c) Persons in Authority shall not invite or have a Vulnerable Participant (or Vulnerable Participants) in their home without the written permission and contemporaneous knowledge of the Vulnerable Participant's parent, guardian, or caregiver.
    d) Vulnerable Participants must not be in any situation where they are alone with a Person in Authority without another screened adult or Athlete present unless prior written permission is obtained from the Vulnerable Participant's parent, guardian, or caregiver.

Practices and Events

4. As it relates to practices and/or competitions, the following shall be respected:
    a) A Person in Authority should never be alone with a Vulnerable Participant prior to or following a competition or practice unless the Person in Authority is the Athlete's parent, guardian, or caregiver.
    b) If the Vulnerable Participant is the first Athlete to arrive, the Athlete's parent should remain until another Athlete or Person in Authority arrives.
    c) If a Vulnerable Participant would potentially be alone with a Person in Authority following a competition or practice, the Person in Authority should ask another Person in Authority (or a parent, guardian or caregiver of another Athlete) to stay until all of the Athletes have been picked up. If an adult is unavailable, another Athlete, who is preferably not a Vulnerable Participant, should be present in order to avoid the Person in Authority being alone with a Vulnerable Participant.
    d) Persons in Authority giving instructions, demonstrating skills, or facilitating drills or lessons to an individual Athlete should always do so within earshot and eyesight of another Person in Authority.
    e) If there is a concern with observing the Rule of Two, Persons in Authority and Athletes should take additional steps to achieve transparency and accountability in their interactions.

Communications

5. Communications between Persons in Authority and Athletes shall respect the following:
    a) Group messages, group emails or team pages are to be used as the regular method of communication between Persons in Authority and Athletes.
    b) Persons in Authority may only send personal texts, direct messages on social media or emails to individual Athletes when necessary and only for communicating information related to team issues and activities (e.g., non-personal information). Any such texts, messages or emails shall be professional in tone and must be copied to another adult when the Athlete is a Vulnerable Participant.
    c) No personal texts between Vulnerable Participants and Persons in Authority may be sent; however, if this is necessary under Section 5(b), it shall include one other adult person on the message (preferably the Vulnerable Person's parent(s)/guardian(s)).
    d) Parents, guardians and caregivers may request that their child not be contacted by a Person in Authority using any form of electronic communication and/or to request that certain information about their child may not be distributed in any form of electronic communications.
    e) All communication between a Person in Authority and Athletes must be between the hours of 6:00am and 11:00pm unless extenuating circumstances justify otherwise (e.g., cancelling an early morning practice).
    f) Communications concerning drugs or alcohol use (unless regarding its prohibition) is not permitted.
    g) No sexually explicit language or imagery or sexually oriented conversation may be communicated by any medium.
    h) Persons in Authority and Athletes are not permitted to offer or ask one another to keep a secret for them.

Virtual settings

6. The Rule of Two shall apply to all Minors in a virtual environment. Specifically:
    a) For Athletes under the age of 16, where possible, a parent/guardian/caregiver should be present during any virtual session.
    b) Two adult coaches should be present or one coach and one adult (parent, guardian, caregiver, volunteer, club administrator). One-on-one virtual sessions are prohibited.
    c) Coaches shall be informed by SWSA of the expected standards of conduct during virtual sessions.
    d) Parents/guardians/caregivers of Minors shall be informed by SWSA of the activities that will take place during the virtual session, as well as the process of the virtual session.
    e) Parents/guardians/caregivers of Minors shall provide consent to the Minor participating in the virtual session, if irregularly scheduled, or prior to the first session if the sessions will take place on a regular basis.
    f) Communications during virtual sessions shall take place in an open and observable environment. Sessions must be initiated in appropriate locations (i.e., not in personal or inappropriate locations such as bedrooms).
    g) Virtual sessions should be recorded whenever allowed by the technology being used.
    h) Parents/guardians/caregivers should debrief with Minors on a weekly basis regarding virtual sessions.

Travel

7. Any travel involving Persons in Authority and Athletes shall respect the following:
    a) Teams or groups of Athletes shall always have at least two Persons in Authority with them.
    b) For mixed gender teams or groups of Athletes, there will be one Person in Authority from each gender.
    c) Screened parents or other volunteers will be available in situations when two Persons in Authority cannot be present.
    d) No Person in Authority may drive a vehicle with an Athlete alone unless the Person in Authority is the Athlete's parent, guardian or caregiver.
    e) A Person in Authority may not share a room or be alone in a hotel room with an Athlete unless the Person in Authority is the Athlete's parent, guardian, or caregiver.
    f) Room or bed checks during overnight stays must be done by two Persons in Authority.
    g) For overnight travel when Athletes must share a hotel room, roommates will be age-appropriate and, for Minors, shall be within two years of age of one another and of the same gender identity.

Locker Room / Changing Areas

8. The following shall apply to locker rooms, changing areas, and meeting rooms:
    a) Interactions (i.e., conversation) between Persons in Authority and Athletes should not occur in any room where there is a reasonable expectation of privacy such as a locker room, restroom or changing area. A second adult should be present for any necessary interaction between an adult and an Athlete in any such room. The Rule of Two must be respected.
    b) If Persons in Authority are not present in the locker room or changing area, or if they are not permitted to be present, they should still be available outside the locker room or changing area and be able to enter the room or area if required, including but not limited to team communications and/or emergency.

Photography / Video

9. Any photograph or video involving Athletes shall respect the following:
    a) Photographs and video may only be taken in public view, must observe generally accepted standards of decency, and be both appropriate for and in the best interest of the Athlete.
    b) The use of recording devices of any kind in rooms where there is a reasonable expectation of privacy is strictly prohibited.
    c) Examples of photos that shall be edited or deleted include:
        i. Images with misplaced apparel or where undergarments are showing
        ii. Suggestive or provocative poses
        iii. Embarrassing images
    d) If any photographs or videos will be used on any form of public media, an Image Consent Form must be completed before any images are taken and used.

Physical Contact

10. It is recognized that some physical contact between Persons in Authority and Athletes may be necessary for various reasons including, but not limited to, teaching a skill or tending to an injury. In adaptive sport, physical contact may involve assisting an athlete, at their request, in various situations. Any physical contact shall respect the following:
    a) Unless it is otherwise impossible because of serious injury or other justifiable circumstance, a Person in Authority must always clarify with an Athlete where and why any physical contact will occur prior to the contact occurring. The Person in Authority must make clear that they are <u>requesting</u> to touch the Athlete and not <u>requiring</u> physical contact
    b) Infrequent, non-intentional physical contact during a training session is permitted
    c) Hugs lasting longer than five seconds, cuddling, physical horseplay, and physical contact initiated by the Person in Authority is not permitted. It is recognized that some Athletes may initiate hugging or other physical contact with a Person in Authority for various reasons (e.g., such as crying or celebrating after a performance), but this physical contact may only occur in an open and observable environment.

Enforcement

11. Any alleged violations of this *Athlete Protection Policy* shall be addressed pursuant to SWSA's *Discipline and Complaints Policy*.

Privacy

12. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SWSA's usual policies and practices regarding private and/or confidential information.

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

CODE OF CONDUCT AND ETHICS

Effective date	April 9, 2025
Archived date	
Date last reviewed	April 9, 2025
Scheduled review date	2026
Replaces and/or amends	Operational Policy Manual: Code of Conduct (1.5), Drug Free Sport (1.11), Athlete Code of Conduct (2.2), Coaches Code of Conduct (3.2), and Officials and Judges Code of Conduct (3.3). Governance Policy Manual: Board Code of Conduct (2.3), Board approved 24 March 2021
Approved by and date	SWSA Board of Directors, April 9, 2025
Appendix(-ces) to this Policy	

Purpose

1. The purpose of this Code is to ensure a safe and positive environment within the programs, activities, and Events of SWSA[4] by making Individuals aware that there is an expectation, at all times, of appropriate behaviour consistent with the applicable organization's core values and policies. SWSA supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals can safely participate in our sport and are treated with respect and fairness.

Application of this Code

2. This Code applies to any Individual's conduct during the business, activities, and Events of SWSA including, but not limited to, competitions, practices, evaluations, treatment or consultations (e.g., massage therapy), training camps, travel associated with organizational activities, the office environment, and any meetings or social Events.

3. This Code also applies to Individuals' conduct outside of the business, activities, and Events of SWSA when such conduct adversely affects the organization's relationships (and the work and sport environment) or is detrimental to the image and reputation of SWSA. Such applicability will be determined by SWSA at its sole discretion.

4. This Code applies to Individuals active in adaptive sport or who have retired from adaptive sport where any claim regarding a potential breach of this Code occurred when the Individual was active in the sport.

5. In addition, breaches of this Code may occur when the Individuals involved interacted due to their mutual involvement in adaptive sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s).

6. Any Individual who violates this Code may be subject to sanctions pursuant to the *Discipline and Complaints Policy*. In addition to facing possible sanctions pursuant to the *Discipline and Complaints Policy,* an Individual

[4] A separate document with term definitions that apply to all SWSA Policy is found online and in the SWSA Safe Sport Policy Manual.

who violates this Code during a competition may be removed from the competition or training area, and the Individual may be subject to further sanctions.

UCCMS

7. The Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS) was adopted by April 9, 2025, and shall be incorporated into this Code by reference as if set out in full herein. Any modifications or amendments made to the UCCMS by the Sport Dispute Resolution Centre of Canada (SDRCC) shall come into effect immediately upon their adoption by the SDRCC, without the need for any further action by SWSA or its Members.

Responsibilities

8. Individuals have a responsibility to:
    a) Maintain and enhance the dignity and self-esteem of other Individuals by:
        i. Treating each other with the highest standards of respect and integrity;
        ii. Focusing comments or criticism appropriately and avoiding public criticism of Athletes, coaches, officials, organizers, volunteers, employees, or other participants;
        iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct;
        iv. Acting to correct or prevent practices that are unjustly discriminatory;
        v. Consistently treating individuals fairly and reasonably; and
        vi. Ensuring adherence to the rules of the sport and the spirit of those rules
    b) Refrain from any behaviour that constitutes Harassment, Workplace Harassment, Sexual Harassment, Workplace Violence, Discrimination or any form of Maltreatment or Prohibited Behaviour
    c) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
    d) Refrain from consuming tobacco products, cannabis, or other recreational drugs[5] while participating in the programs, activities, Events of SWSA or representing SWSA at any such programs, activities or Events
    e) In the case of Minors, not consume alcohol, tobacco, or cannabis at any Event
    f) In the case of adults, not consume cannabis in the Workplace or in any situation associated with Events (subject to any requirements for accommodation), not consume alcohol during competitions (except where permitted in accordance with provincial licensing regulations) and manage the responsible consumption of alcohol in any other situation
    g) Respect the property of others and not wilfully cause damage
    h) Promote sport in the most constructive and positive manner possible
    i) When driving a vehicle,
        i. Not have their license suspended;
        ii. Obey traffic laws at all times;
        iii. Not be under the influence of alcohol, cannabis or illegal drugs or intoxicating substances;
        iv. Have valid insurance; and
        v. Refrain from using a mobile device or engaging in any activity that would constitute distracted driving

[5] Recreational drugs are commonly considered to be substances such as amphetamines, cocaine, cannabis, ecstasy, heroin, ketamine, LSD, magic mushrooms.

j) Adhere to all federal, provincial, municipal and host country laws
k) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition or para-classification, and/or refrain from offering or receiving any benefit which is intended to manipulate the outcome of a competition. A benefit includes the direct or indirect receipt of money or other anything else of value, including, but not limited to, bribes, gains, gifts, preferential treatment, and other advantages
l) Comply, at all times, with the bylaws, policies, procedures, and rules and regulations of SWSA and those of any other sport organization with authority over the individual, as applicable and as adopted and amended from time to time
m) Report any ongoing criminal or anti-doping investigation, conviction, or existing bail conditions involving an Individual to SWSA including, but not limited to, those for violence, child pornography, or possession, use, or sale of any illegal or Prohibited Substance or Method

Directors, Committee Members, and Employees

9. In addition to Section 8 (above), directors, committee members, and employees of SWSA will have additional responsibilities to:
    a) When performing their role as a director or committee member or employee of SWSA ensure that they respect their duty of loyalty to SWSA and refrain from engaging in any activity or behaviour that could constitute a conflict of interest
    b) Ensure their loyalty prioritizes the interests of SWSA
    c) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the business and the maintenance of Individuals' confidence
    d) Ensure that financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
    e) If applicable, comply with the *Screening Policy,* including understanding ongoing expectations under the *Screening Policy* and fully cooperating in the screening process
    f) Conduct themselves openly, professionally, lawfully and in good faith
    g) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
    h) Behave with decorum appropriate to both circumstance and position
    i) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to applicable laws
    j) Respect the confidentiality appropriate to issues of a sensitive nature
    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) Have knowledge and understanding of all relevant policies and procedures

In addition to the responsibilities described above, one board member and the PSO Safe Sport Liaison must also complete the Canadian Centre for Ethics in Sport's Governance Essentials e-learning course.

Coaches, Instructors, Trainers and Athlete Support Personnel

10. In addition to Section 8 (above), coaches, instructors, trainers and athlete support personnel (collectively, "coaches") have many additional responsibilities. The coach-Athlete relationship is a privileged one and plays a critical role in the personal, sport, and athletic development of the Athlete. Coaches must understand and respect the inherent Power Imbalance that exists in this relationship and must not abuse it, either consciously or unintentionally. Coaches will:
    a) Avoid any behaviour that abuses the Power Imbalance inherent to their position as a coach
    b) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the Athletes
    c) 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
    d) Avoid compromising the present and future health of Athletes by communicating and cooperating with sport medicine professionals (where applicable) in the diagnosis, treatment, and management of Athletes' medical and psychological treatments
    e) Support the coaching staff of a training camp, provincial team, or national team, should an Athlete qualify for participation with one of these programs
    f) Accept and promote Athletes' personal goals and refer Athletes to other coaches and sport specialists as appropriate
    g) Provide Athletes (and the parents/guardians of Minor Athletes) with the information necessary to be involved in the decisions that affect the Athlete
    h) Act in the best interest of the Athlete's development as a whole person
    i) Comply with the *Screening Policy,* including understanding ongoing expectations under the *Screening Policy* and fully cooperating in the screening process
    j) Comply with all established responsibilities and obligations as set out by the coach's professional governing body, if any
    k) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or Prohibited Substances or Prohibited Methods and, in the case of minors, alcohol, cannabis, and/or tobacco
    l) Respect Athletes competing for other clubs, provinces or countries and, in dealings with them, not discuss topics or take 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
    m) Except where there was a pre-existing relationship prior to the development of the coach-Athlete relationship and there is otherwise no Power Imbalance, not engage in a sexual or intimate relationship with an Athlete of any age in which the coach is in a position of trust or authority
    n) 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 (right to privacy), 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
    o) Dress appropriately
    p) Use inoffensive language, and take the audience being addressed into account (e.g., the age/maturity of the participants)

Athletes

11. In addition to Section 8 (above), Athletes will have additional responsibilities to:
    a) Adhere to their athlete agreement (if applicable)
    b) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete
    c) Participate and appear on-time and prepared to participate to their best abilities in all competitions, practices, training sessions, and evaluations (including time controls or any other form of testing)
    d) 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
    e) Adhere to any rules and requirements regarding clothing and equipment
    f) Dress to represent the sport and themselves appropriately
    g) Act in accordance with applicable policies and procedures and, when applicable, additional rules as outlined by coaches or managers

Officials

12. In addition to Section 8 (above), officials will have additional responsibilities to:
    a) Maintain and update their knowledge of the rules and any rule changes
    b) Not publicly criticize any Individual
    c) Place the safety and welfare of competitors, and the fairness of the competition above all else
    d) Work within the boundaries of their position's description while supporting the work of other officials
    e) Act as an ambassador of adaptive sport by agreeing to enforce and abide by national and provincial/territorial rules and regulations
    f) Take ownership of actions and decisions made while officiating
    g) Respect the rights, dignity, and worth of all Individuals
    h) Act openly, impartially, professionally, lawfully, and in good faith
    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 discipline processes, appeals, and specific information or data about Individuals
    k) Comply with the *Screening Policy,* including understanding ongoing expectations under the *Screening Policy* and fully cooperating in the screening process
    l) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases communicate their situation to SWSA or the individual(s) responsible for assignments as soon as possible
    m) When writing reports, set out the actual facts to the best of their knowledge and recollection
    n) Dress in appropriate attire for officiating
    o) Where applicable, adhere at all times to the rules of the applicable International Federation as well as the rules of any other sport organization that has relevant and applicable authority over the official

Parents/Guardians and Spectators

13. In addition to Section 8 (above), parents, guardians, caregivers and spectators at Events will, at all times:
    a) Encourage Athletes to compete within the rules and to resolve conflicts without resorting to hostility or violence
    b) Condemn the use of violence in any form
    c) Never ridicule a participant during a competition or practice
    d) Respect the decisions and judgments of officials, and encourage Athletes to do the same
    e) Support all efforts to eliminate verbal and physical abuse, coercion, intimidation, and sarcasm
    f) Respect all competitors, coaches, officials and other volunteers
    g) Never harass competitors, coaches, officials, parents/guardians, or other spectators

Anti-Doping

14. All Individuals shall:
    a) Abstain from the non-medical use of medications or drugs or the use of Prohibited Substances or Prohibited Methods as listed on the version of the World Anti-Doping Agency's Prohibited List currently in force. More specifically, SWSA adopts and adheres to the Canadian Anti-Doping Program. SWSA will respect any sanction imposed on an Individual as a result of a breach of the Canadian Anti-Doping Program or any other applicable Anti-Doping Rules
    b) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision, who has been found to have committed an anti-doping rule violation and is serving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program or any other applicable anti-doping rules
    c) Cooperate with any Anti-Doping Organization that is conducting an investigation into any anti-doping rule violation(s)
    d) Refrain from any offensive conduct toward a doping control official or other individual involved in doping control, whether or not such conduct constitutes Tampering as defined in the Canadian Anti-Doping Program

15. All Athlete Support Personnel or other persons who are Using a Prohibited Substance or Prohibited Method without a valid and acceptable justification shall refrain from providing support to Athletes that fall under SWSA or its Members' jurisdiction.

Retaliation, Retribution or Reprisal

16. It is a breach of this Code for any Individual to engage in any act that threatens or seeks to intimidate another Individual with the intent of discouraging that Individual from filing, in good faith, a Report pursuant to any SWSA policy. It is also a breach of this Code for an Individual to remove opportunities, privileges or any other benefit from an Individual who has filed a Report against them or to file a Report for the purpose of retaliation, retribution or reprisal against any other Individual. Any Individual found to be in breach of this section shall be liable for the costs related to the disciplinary process required to establish such a breach.

Privacy

17. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SWSA's usual policies and practices regarding private and/or confidential information.

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

DISCIPLINE AND COMPLAINTS POLICY FLOWCHART

All complaints are to be reported to Sask Sport's identified Independent Third-Party for complaint reporting/handling, and will be screened by the Independent Third Party (ITP) to determine next steps. Prior to determining whether a Complaint Resolution Officer or Case Manager/External Discipline Panel should be appointed, the ITP may propose use of Alternative Dispute Resolution techniques to resolve the dispute.

Complainant files complaint to Independent Third Party

(May be referred by OSIC, PSO/Club, or SSI)

Screening of Complaint (Section 18)

ITP (Independent Third Party) will determine if:

a) The complaint is outside the jurisdiction of the Discipline and Complaints Policy or frivolous
b) Propose the use of alternative dispute resolution
c) Determine if the alleged incident should be formally investigated and/or
d) Choose which process (Section 20 or Section 21) should be followed

Complaint Contains Less Severe Allegations (Section 20)

Referral to Complaint Resolution Officer (CRO)

1. ITP and PSO appoint a Complaint Resolution Officer
   The Complaint Resolution Officer will: (Sections 31-38)
   a. Ask the Complainant and the Respondent for written submissions regarding the complaint or incident
   b. If the CRO deems necessary, convene the parties to a meeting, either in person or video or teleconference to gather additional information

Decision

2. Thereafter, the CRO shall determine if a breach occurred and, if so, if one or more sanctions should be applied (Section 35)
3. If Respondent is a staff person of the association, the CRO may refer to association's Human Resource Policies to determine appropriate sanctions (Section 6)

Alternative Dispute Resolution Policy

1. ADR may be pursued at any point in a dispute upon the consent of the parties
2. The Independent Third Party will:
   a. Facilitate the appointment of a facilitator or mediator with consent of parties
   b. Appoint a mediator or facilitator
3. The mediator/facilitator will decide the format for mediation/facilitation
4. If a negotiated settlement is reached, the settlement will be reported to the Association (Safe Sport Liaison)
5. If a negotiated settlement is not reached, the complaint will be referred back to the Independent Third Party for next steps
6. Any negotiated settlement will be binding on the parties and not subject to appeal

Complaint Contains Severe Allegations (Section 21)

Handled by Case Manager

1. Following the determination that the complaint or incident should be handled under Process #2, the Independent Third Party will work with PSO to select a Case Manager (suitable options are listed on SSI website)

The Case Manager has a responsibility to:

a. Appoint an External Discipline Panel (who should be one arbitrator, or a Panel of three people in certain circumstances at the Case Manager's discretion. Arbitrators shall have experience with sport disputes and who is not in a conflict of interest)
b. Coordinate all administrative aspects and set timelines
c. Provide administrative assistance and logistical support to the External Discipline Panel as required
d. Provide any other service or support that may be necessary to ensure a fair and timely proceeding
e. In cooperation with the External Discipline Panel, will decide the format under which the complaint will be heard

Decision (Sections 50-56)

1. After hearing the matter, the External Discipline Panel will determine whether an infraction has occurred and, if so, the sanction(s) to be imposed (Sections 57-65)
2. If the Respondent is a staff person of the association, the External Discipline Panel may refer to the association's Human Resource Policies to determine appropriate sanctions (Section 6)
3. The decision will be considered a matter of public record unless decided otherwise by the External Discipline Panel (Sections 52-53)

Complaint is Resolved

Outcomes and those implications are communicated to parties, organizations and individuals (Sections 52-53)

Long-term suspensions, of 1 year or more, must be reported to Sask Sport to be added to long-term suspension listing

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

DISCIPLINE AND COMPLAINTS POLICY

Effective date	April 9, 2025
Archived date	
Date last reviewed	April 9, 2025
Scheduled review date	2026
Replaces and/or amends	Operational Policy Manual: Discipline & Complaints Policy (1.10), Board approved 24 March 2021
Approved by and date	SWSA Board of Directors, April 9, 2025
Appendix(-ces) to this Policy	

Purpose

1. Individuals are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with the policies, bylaws, rules and regulations of SWSA and those of its Members, as applicable and as amended from time to time. Non-compliance may result in the imposition of sanctions pursuant to this Policy.

Application of this Policy

2. This Policy applies to all Individuals and to any alleged breaches of SWSA policies, bylaws, rules or regulations.

3. This Policy applies to matters that may arise during the business, activities, and Events of SWSA including, but not limited to, competitions, practices and training, evaluations, treatment or consultations (e.g., massage therapy), training camps, travel associated with SWSA activities, and any meetings.

4. This Policy also applies to Individuals' conduct outside of the business, activities, and Events of SWSA when such conduct adversely affects SWSA's relationships (and the work and sport environment) or is detrimental to the image and reputation of SWSA, or upon the acceptance of SWSA.

5. Without limiting the generality of the foregoing, this Policy applies to alleged breaches of the *Code of Conduct and Ethics* by Individuals who have retired from adaptive sport where any claim regarding a potential breach of the *Code of Conduct and Ethics* occurred when the Individual was active in the sport. In addition, this Policy will apply to breaches of the *Code of Conduct and Ethics* that occurred when the Individuals involved interacted due to their mutual involvement in adaptive sport or, if the breach occurred outside of the sport environment, if the breach has a serious and detrimental impact on the Individual(s).

   If an Individual makes a complaint or Reports an incident that occurred at a time during which a different SWSA policy was in force (i.e., *Code of Conduct and Ethics*, *Discipline and Complaints Policy*), the matter will be governed by the substantive rules in the policy in force at the time that the incident occurred to determine whether an offense or breach of the policy has occurred, unless the panel hearing the matter determines that

the principle of lex mitior[6] applies to the circumstances of the case; however, for such cases, this *Discipline and Complaints Policy* will apply retroactively, prior to its approval date, as it relates to procedural matters.

Applicability of this Policy will be determined by the Independent Third Party at their sole discretion and shall not be subject to appeal.

6. In addition to being subject to disciplinary action pursuant to this *Discipline and Complaints Policy*, an employee of SWSA who is a Respondent to a Report may also be subject to consequences in accordance with the employee's employment agreement, if applicable, or SWSA's human resources or other applicable policies.

7. SWSA will adhere to all disclosure and reporting responsibilities required by any government entity, local police force, or child protection agency.

Minors

8. Complaints may be brought for or against an Individual who is a Minor. Minors must have a parent/guardian or other adult serve as their representative during this process. Any Individual who Reports or brings a complaint on behalf of a Minor that involves known or suspected abuse, neglect or Maltreatment of a Minor that is not Reported to the Office of the Sport Integrity Commissioner (OSIC) pursuant to Sections 12-14 below must also Report this to local child welfare services, the applicable provincial or territorial social service ministries or departments, or local police.

9. Communication from the Independent Third Party, the Case Manager, Complaint Resolution Officer or discipline panel, as applicable, must be directed to the Minor's representative.

10. 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.

11. A Minor is not required to attend an oral hearing, if held, or participate in an investigation if conducted. In such circumstances, no adverse inference can be drawn against the Minor.

Reporting a Complaint

<u>UCCMS Participants</u>

12. Incidents that involve alleged Maltreatment or Prohibited Behaviour involving a UCCMS Participant must be reported to the OSIC and will be addressed pursuant to the OSIC's policies and procedures.

13. OSIC shall determine the admissibility of such complaints in accordance with the relevant and applicable OSIC Guidelines regarding the initial review and preliminary assessment, at their sole discretion.

[6] The principle of *lex mitior* means that, if the rule relevant to a breach of any policy has been amended, the less severe rule will apply.

14. If the Independent Third Party receives a complaint that they consider would otherwise fall within the above sections, they shall refer the matter to the OSIC and notify the Individual(s) that made the complaint of such action within seven days of referring the matter to the OSIC.

Individuals

15. Any complaints involving alleged breaches of SWSA's policies that do not fall within Sections 12 or 13 above must be Reported in writing by an Individual (or Individuals) to the Independent Third Party within twenty-one (21) days of the occurrence of the incident through the online form on the Sask Sport website[7]. For the avoidance of doubt, this includes Reported complaints referred back to the Independent Third Party by the OSIC following a determination made by the OSIC that a complaint initially reported to it does not fall within its jurisdiction. The OSIC is not required to comply with the deadline specified in this Section 15. If SWSA receives a complaint, it must immediately provide it to the Independent Third Party. Where SWSA receives a complaint directly (or through its own independent third party, where applicable), it shall report the complaint to the Independent Third Party in a timely manner.

16. A Complainant who fears retribution or reprisal or who otherwise considers that their identity must remain confidential may Report a complaint to the Independent Third Party and request that their identity be kept confidential. If the Independent Third Party considers that the Complainant's identity must remain confidential, the Independent Third Party may ask that SWSA take carriage of the complaint and act as the Complainant pursuant to Section 22 below.[8]

17. If the Independent Third Party considers that it is unnecessary to keep the Complainant's identity confidential, they shall inform the Complainant, who may decide whether or not to pursue the Reported complaint. However, the Independent Third Party may not reveal the identity of the Complainant unless the Complainant expressly informs them of their desire to pursue the complaint and has indicated, in writing, their approval to have their identity divulged.

Independent Third-Party Responsibilities

18. Upon receipt of a Reported complaint from an Individual (or Individuals) or the OSIC, the Independent Third Party shall:

    a) Determine whether the complaint falls within the jurisdiction of this Policy;
    b) If it can be accepted pursuant to Section 15 above; and
    c) Whether it is either a frivolous or vexatious complaint, or if it has been made in bad faith.[9]

    If the Reported complaint is not accepted by the Independent Third Party for any of the aforementioned reasons, the Independent Third Party shall inform the Complainant and provide the reasons for which the

[7] This timeline may be waived at the Independent Third Party's sole discretion if they consider that there were extenuating circumstances that prevented the Individual from Reporting their complaint within twenty-one (21) days of the occurrence of the incident.

[8] In such circumstances, the Complainant(s) may be required to provide evidence during the disciplinary process.

[9] As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. 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. Generally, a frivolous complaint will have no serious purpose or value.

complaint was not accepted. If the Reported complaint is not accepted because it does not fall within the jurisdiction of this Policy but would fall within the jurisdiction of another sport's policy(ies), the Independent Third Party shall inform the Complainant(s) so that they may Report their complaint to the appropriate organization. If the Reported complaint is accepted by the Independent Third Party, the Independent Third Party shall proceed to make the determinations indicated in Sections 19-23 below and notify the Parties accordingly that the Reported complaint has been accepted.

19. In cases where the Independent Third Party receives a complaint or Report involving known or suspected abuse, neglect or Maltreatment of a Minor that is not reported to the OSIC pursuant to Sections 12-14, they shall Report this to local child welfare services, the applicable social service ministries or departments, or local police. The Independent Third Party shall not be responsible for fulfilling the aforementioned obligation if the Individual making the complaint or filing the Report confirms in writing that they have already Reported to any such authorities.

20. The Independent Third Party shall direct a Reported complaint to be managed by the Complaint Resolution Officer appointed by SWSA if the Complainant alleges that any of the following incidents have occurred:

    a) Disrespectful conduct or behaviour
    b) Minor acts of physical violence (i.e., pinching, shoving, intentionally blocking another person from their desired path, throwing an object at another person), unless the physical violence is between a Person in Authority and a Vulnerable Participant, in which case the matter will fall under Section 21 below
    c) Conduct contrary to the values of SWSA
    d) Conduct that intentionally interferes with a competition or with any Athlete's preparation for a competition
    e) Non-compliance with SWSA's policies, procedures, rules, or regulations
    f) Minor violations of the *Code of Conduct and Ethics, the UCCMS, Social Media Policy,* or the *Athlete Protection Policy*

    *[Comment to Article 20: Where any of the above-mentioned **incidents occur on the field of play,** they shall be addressed through the policy/process applicable to the field of play incident, and by the individual with appropriate authority under that policy/process/sport specific rulebook, subject to an Individual's right to file a Report regarding the incident pursuant to this Policy.]*

21. Subject to Section 14, the Independent Third Party shall direct a Reported complaint to be managed by a Case Manager appointed by SWSA if the Complainant alleges that any of the following incidents have occurred:

    a) Repeated incidents pursuant to Section 20
    b) Abusive, racist, or sexist comments, conduct or behaviour
    c) Any incident of hazing
    d) Behaviour that constitutes Maltreatment, Prohibited Behaviour, Workplace Harassment or Harassment
    e) Major incidents of physical violence (e.g., fighting, attacking)
    f) Pranks, jokes, or other activities that endanger the safety of others
    g) Conduct that intentionally damages SWSA's image, credibility, or reputation
    h) Consistent disregard for SWSA's bylaws, policies, rules, and regulations
    i) Major or repeated violations of the *Code of Conduct and Ethics, the UCCMS, Social Media Policy,* or *Athlete Protection Policy*
    j) Intentionally damaging SWSA's property or improperly handling the organization's monies
    k) Abusive use of alcohol or any other intoxicating substance, any use or possession of alcohol or any other intoxicating substance by Minors, or use or possession of illicit drugs and narcotics
    l) A conviction for any *Criminal Code* offense

22. Notwithstanding any provision in this Policy, SWSA may, at its discretion, or upon request by the Independent Third Party in accordance with Section 16, act as the Complainant and initiate the complaint Reporting process under the terms of this Policy. In such cases, SWSA will identify an individual to represent the organization, unless SWSA is acting as the Complainant pursuant to Section 16.

23. If multiple Individuals file a complaint against the same Respondent that include allegations regarding the same incident(s), the Independent Third Party may, with the consent of all Parties, consolidate the complaints into a single procedure.

24. In circumstances where a member organization of SWSA fails to conduct disciplinary proceedings within a reasonable timeline in relation to a complaint that falls within its jurisdiction, 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 member organization does not have policies in place (or adequate policies in place) to address the complaint, SWSA may, at its discretion, take jurisdiction over the matter and conduct the necessary proceedings in accordance with the policies in this Safe Sport Policy Manual.

Investigations and Assessments

25. In exceptional circumstances, and only when the Independent Third Party considers that the conditions indicated in this section have been satisfied, the Independent Third Party may determine that a Reported incident requires further investigation by an independent third-party investigator. The Independent Third Party will direct that an investigation be conducted:

    a) Only if the Reported incident falls within Section 21 above;
    b) In accordance with and by an independent investigator appointed pursuant to the *Investigations Policy – Discrimination, Harassment and Maltreatment* and *Prohibited Behaviour*;
    c) Where the Independent Third Party considers that there is a need for an independent assessment to determine whether an allegation (or, where there are several allegations, which allegations) should be heard by a discipline panel pursuant to this Policy because they constitute, if found to be true, a likely

breach of the *Code of Conduct and Ethics*, the UCCMS, the *Social Media Policy*, the *Athlete Protection Policy*, or any other relevant and applicable SWSA policy, or whether the allegations are frivolous, vexatious or made in bad faith;[10] and

d) For the purpose of making non-binding recommendations to the Independent Third Party so that they may discharge their responsibilities pursuant to this Policy.

If the Independent Third Party considers that an independent investigation or assessment must be conducted for the reasons mentioned above, the investigation shall be conducted before any disciplinary procedures are commenced pursuant to this Policy; however, when an investigation is conducted and where it is necessary in the circumstances, a Provisional Suspension or interim measures may be imposed in accordance with Sections 26-28 below.

Upon receipt of the investigator's report, the Independent Third Party shall determine whether the matter will proceed pursuant to Sections 40 and below and shall inform the Parties and SWSA.

If the Independent Third Party does not consider that an independent investigation is necessary and the Reported complaint has been accepted pursuant to Section 18, the matter shall proceed pursuant to Sections 39 and following below.

Provisional Suspensions

26. If it is considered appropriate or necessary on the basis of the circumstances, immediate discipline or the imposition of a Provisional Suspension or interim measures may be imposed against any Individual by the Executive Director of SWSA (or their designate)[11] upon the recommendation of the Independent Third Party (except where there are time constraints)[12] after which further discipline or sanctions may be applied according to this Policy. SWSA will communicate any decision to impose a Provisional Suspension or interim measures to the Parties involved and to any other Individual or organization that is required to receive such information in order to ensure that the Provisional Suspension or interim measure can be implemented as directed.

27. If an infraction occurs at a competition, it will be dealt with by the procedures specific to the competition, if applicable. Provisional Suspensions or interim measures may be imposed for the duration of a competition, training, activity, or Event only, or as otherwise determined appropriate by the relevant governing body and / or Executive Director of SWSA[13] as appropriate.

28. Notwithstanding the above, SWSA may determine that an alleged incident is of such seriousness as to warrant the imposition of a Provisional Suspension of a Respondent pending completion of an investigation, assessment and/investigation by the OSIC, criminal process, the hearing, or a decision of the discipline panel.

[10] Please see Footnote 9, modified accordingly for the circumstances of an investigation.

[11] The term 'designate' includes the person with authority to impose a Provisional Suspension according to the situation.

[12] Where there are time constraints, the Executive Director may impose a Provisional Suspension or interim measures against an Individual without seeking a recommendation from the Independent Third Party.

[13] In-competition discipline or sanction imposed by the applicable official or authority does not prevent an Individual from facing additional disciplinary proceedings under the *Code of Conduct and Ethics.*

29. Any Respondent against whom a Provisional Suspension or interim measure is imposed may make a request to the Independent Third Party or the discipline panel (if appointed) to have the Provisional Suspension or interim measure lifted. In such circumstances, SWSA shall be provided with an opportunity to make submissions, orally or in writing, regarding the Respondent's request to have their Provisional Suspension lifted. Provisional Suspensions or interim measures shall only be lifted in circumstances where the Respondent establishes that it would be manifestly unfair to maintain the Provisional Suspension or interim measure against them.

30. Any decision not to lift a Provisional Suspension or interim measure shall not be subject to appeal.

Complaint Handled by Complaints Resolution Officer

31. Following the Independent Third Party's determination that the Reported complaint or incident shall be managed by a Complaint Resolution Officer appointed pursuant to Section 20 above, the Independent Third Party shall encourage the Parties to attempt to resolve the matter through mediation pursuant to the *Dispute Resolution Policy*.[14] If the Parties do not agree to pursue mediation, or if mediation is attempted but is unsuccessful, the Independent Third Party, in collaboration with the Safe Sport Liaison, will appoint a Complaint Resolution Officer.[15] The Complaint Resolution Officer appointed to handle a Reported complaint or incident must be unbiased and not in a conflict of interest situation with any of the Parties.

32. The Complaint Resolution Officer will ask the Complainant and the Respondent for written submissions (taking any accessibility requirements into consideration) regarding the Reported complaint or incident. Both Parties shall also have the right to submit to the Complaint Resolution Officer 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).

33. Each Party shall have the right to receive the other Party's submissions and evidence, including the Complainant's complaint. If the matter before the Complaint Resolution Officer involves a Complainant who wishes to keep their identity confidential, the Complaint Resolution Officer may redact documents as they consider reasonably necessary to protect the confidentiality of the Individual, but only to the extent that any redactions do not compromise the Respondent's procedural fairness rights. In the case of oral submissions, each Party shall have the right to be present when such submissions are made.

34. Following receipt of the Parties' submissions, the Complaint Resolution Officer may (but is not required to) convene the Parties to a meeting, either in person or by way of video or teleconference, in order to ask the Parties questions and/or, if permitted by the Complaint Resolution Officer, to allow the Parties to ask questions of one another.

[14] If mediation is not attempted, or is initially unsuccessful, the Parties are still permitted to resolve the dispute amicably through mediation at any time prior to a final decision being rendered by the Complaint Resolution Officer.

[15] In order to ensure that the process advances in a timely manner, the Independent Third Party may proceed with the appointment of a Complaint Resolution Officer without collaborating with the Safe Sport Liaison if the matter is urgent or they are unable to obtain a recommendation from the Safe Sport Liaison within five (5) days of making the decision that the matter will be heard through the Complaint Resolution Officer process.

35. Following their review of the submissions and evidence related to the Reported complaint or incident, the Complaint Resolution Officer shall determine if any of the incidents listed in Section 20 above have occurred and, if so, if one or more of the following sanctions should be applied:

    a) Verbal or written reprimand
    b) Verbal or written apology
    c) Service or other contribution to SWSA
    d) Removal of certain privileges
    e) Suspension from certain teams, Events, and/or activities
    f) Suspension from certain activities for a designated period
    g) Any other sanction considered appropriate for the offense
    h) Education or training opportunities

    If, after hearing the Parties and reviewing their submissions, the Complaint Resolution Officer considers that none of the incidents listed in Section 20 above have occurred, they shall dismiss the Reported complaint.

36. The Complaint Resolution Officer will inform the Parties of their decision, in writing and with reasons. Any sanction imposed shall take effect upon the Parties' receipt of the decision. Should the circumstances require a decision to be rendered immediately or within a short timeline, the Complaint Resolution Officer may render a short decision, either orally or in writing, followed by a written reasoned decision.

37. Any decision rendered by the Complaint Resolution Officer shall be provided to and maintained in the records of SWSA and the relevant National Sport Organization. Decisions will be kept confidential by the parties and the aforementioned organizations and shall be retained and discarded in accordance with the relevant and applicable privacy legislation.

38. Any decision rendered by a Complaint Resolution Officer is final and not subject to appeal.

Handled by Discipline Panel
Case Manager

39. If the Independent Third Party determines that the Reported complaint or incident falls within Section 21 above, SWSA shall appoint an independent Case Manager to fulfil the responsibilities listed in Sections 40 and following. The Case Manager shall not be in a conflict of interest or have a direct relationship with any of the Parties.

40. The appointed Case Manager will have the responsibility to:

    a) Propose and, where appropriate based on the circumstances, encourage the use of the *Alternate Dispute Resolution Policy*
    b) Appoint the discipline panel, if necessary
    c) Coordinate all administrative aspects and set timelines
    d) Provide administrative assistance and logistical support to the discipline panel as required, including providing the discipline panel with any information related to previously established infractions committed by the Respondent(s) of the policies of SWSA, the relevant National Sport Organization, any other Member, or any other sport organization that had authority over the Respondent
    e) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

Procedures

41. The Case Manager will establish and adhere to timelines that ensure procedural fairness and that the matter is heard in a timely fashion.

42. The Case Manager will propose and, if appropriate in the circumstances, encourage that the Parties use the *Alternate Dispute Resolution Policy* with the objective of resolving the dispute. If applicable, and if the dispute is not resolved, or if the Parties refuse to use the *Alternate Dispute Resolution Policy*, the Case Manager will appoint a discipline panel, which shall consist of a single arbitrator, to hear the Reported complaint. In extraordinary circumstances, and at the discretion of the Case Manager, a discipline panel of three persons may be appointed to hear the complaint. In this event, the Case Manager will appoint one of the discipline panel's members to serve as the Chair.

43. The Case Manager, in cooperation with the discipline panel, will then decide the format under which the Reported complaint will be heard. This decision may not be appealed.

44. 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. The hearing will be governed by the procedures that the Case Manager and the discipline panel deem appropriate in the circumstances, provided that:

    a) The discipline panel determines procedures and timelines, as well as a hearing duration, that is as expedient and cost-efficient as possible to ensure that costs to the Parties and SWSA are reasonable
    b) The Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing or an oral hearing by telephone or other communication medium
    c) Copies of any written documents which the Parties wish to have the discipline panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing
    d) The Parties may engage a representative, advisor, translator, transcription services, or legal counsel at their own expense
    e) The discipline panel may request that any other individual participate and give evidence at the hearing
    f) If not a Party, SWSA shall be allowed to attend the hearing as an observer and will be provided with access to any documents submitted. With the permission of the discipline panel, SWSA may make submissions at the hearing or may provide the discipline panel with clarifying information that may be required for the panel to render its decision.[16]
    g) The discipline panel may exclude any evidence filed by the Parties that is unduly repetitious or otherwise an abuse of process. The discipline panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to any evidence filed by the Parties.
    h) Nothing is admissible in evidence at a hearing that:
        i. would be inadmissible in a court by reason of any privilege under the law of evidence; or
        ii. is inadmissible by any statute.
    i) Where a discipline panel composed of three members is appointed, the decision will be by a majority vote

[16] The purpose of this provision is not to provide SWSA or a Member with the possibility to try to influence whether a sanction is imposed and, if so, the duration or nature of the sanction. Instead, this provision is intended to provide SWSA or a Member with the possibility to provide the discipline panel with clarifying information when the parties have sought a particular sanction against an Individual, but they have misunderstood or misrepresented fundamental elements of the programming or membership structure (or other similar issues) and, if left unaddressed, could result in the discipline panel imposing a sanction that is unenforceable.

45. If the Respondent acknowledges the facts of the incident, the Respondent may waive the hearing, in which case the discipline panel will determine the appropriate sanction. The discipline panel may still hold a hearing for the purpose of determining an appropriate sanction.

46. The hearing may proceed if a Party chooses not to participate in the hearing.

47. If a decision may affect another Party to the extent that the other Party would have recourse to a complaint or an appeal in their own right, that Party will become a Party to the complaint, shall be permitted to participate in the proceedings as determined by the discipline panel and will be bound by the decision.

48. In fulfilling its duties, the discipline panel may obtain independent advice.

49. Facts established by a criminal court, by a civil court or by a professional disciplinary tribunal of competent jurisdiction shall be admissible as evidence within the disciplinary process, as allowable by applicable law.

Decision

50. After hearing and/or reviewing the matter, the discipline panel will determine whether an infraction has occurred and, if so, the sanctions to be imposed. If the discipline panel considers that an infraction has not occurred, the Reported complaint will be dismissed.

51. Within fourteen (14) days of the hearing's conclusion, the discipline panel's written decision, with reasons, will be distributed by the Case Manager to all Parties, the Independent Third Party, PSO Safe Sport Liaison, the relevant SWSA National Sport Organization and Sask Sport's Dispute Resolution Office. In extraordinary circumstances, the discipline 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.

52. Subject to Section 53 below, unless the matter involves a Vulnerable Participant, once the appeal deadline in the *Appeal Policy* has expired, Sask Sport shall publish the outcome of the case on its website. Publication shall be limited to the provision(s) of the relevant policies that have been violated, the name of the Respondent(s) and the sanction(s) imposed, if any. Additionally, where SWSA acts as the Complainant under Section 16 above, only SWSA, and not the original Complainant, shall be identified as an involved Individual. If the matter is appealed, the publication provisions in the *Appeal Policy* shall apply. Identifying information regarding Minors or Vulnerable Participants will never be published by SWSA or Sask Sport. Any decision in which an Individual is suspended for a period of one year or longer will be added to the Sask Sport long-term suspension registry.[17]

53. If the discipline panel dismisses the Reported complaint, its decision may only be published with the Respondent's consent. If the Respondent does not provide such consent, the information referred to in Section 52 will be kept confidential by the Parties, the Case Manager, SWSA, the relevant SWSA National Sport Organization and Sask Sport, and shall be retained and discarded in accordance with the relevant and

[17] The Sask Sport long-term suspension registry is a password protected site that is accessible by provincial sport organizations in Saskatchewan only. The following information is included in the registry: first and last name of suspended Individual; the date of suspension, duration of suspension, expiry date of suspension, any other sanctions imposed, and name of the Individual's provincial sport organization.

applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken pursuant to this Policy.

54. Sask Sport will publish the outcome of the case as provided for in Sections 52 or 53, as applicable, by placing the required information on its website and shall leave the information up for the longer of one (1) month or the duration of the sanction.

55. The discipline panel's decision will come into effect as of the date that it is rendered, unless decided otherwise by the discipline panel. The discipline panel's decision will apply automatically to and must be respected by SWSA and any Individuals involved.

56. The Case Manager shall communicate decisions rendered pursuant to this Policy to the Safe Sport Liaison, the Parties, the Independent Third Party, to the relevant SWSA National Sport Organization and to Sask Sport. Except where a decision is published in accordance with Section 52 or 53, decisions shall be considered confidential. Records of all decisions will be maintained by SWSA and the relevant SWSA National Sport Organization in accordance with their respective privacy policies.

57. When the discipline panel imposes a sanction, the decision shall include, at a minimum, the following details:

    a) Jurisdiction;
    b) Summary of the facts and relevant evidence;
    c) Where applicable, the specific provision(s) of SWSA's policies, bylaws, rules or regulations that have been breached;
    d) Which Party or organization is responsible for the costs of implementing any sanction;
    e) Which organization is responsible for monitoring that the sanctioned individual respects the terms of the sanction;
    f) Any reinstatement conditions that the Respondent must satisfy (if any);
    g) Which organization is responsible for ensuring that the conditions have been satisfied; and,
    h) Any other guidance that will assist the Parties to implement the discipline panel's decision.

If necessary, a Party – or the organization that is responsible for implementing or monitoring a sanction – may seek clarifications from the discipline panel regarding the order so that it can be implemented or monitored appropriately.

Sanctions

58. When determining the appropriate sanction, the Complaint Resolution Officer or discipline panel (as applicable) will consider the following factors (where applicable):

    a) The nature and duration of the Respondent's relationship with the Complainant, including whether there is a power imbalance;

    b) The Respondent's prior history and any pattern of misconduct, Prohibited Behaviour or Maltreatment;

    c) The respective ages of the individuals involved;

    d) Whether the Respondent poses an ongoing and/or potential threat to the safety of others;

    e) The Respondent's voluntary admission of the offense(s), acceptance of responsibility for the misconduct, Prohibited Behaviour or Maltreatment, and/or cooperation in the investigative and/or disciplinary process;

    f) Real or perceived impact of the incident on the Complainant, SWSA, the relevant SWSA National Sport Organization or the adaptive sport community;

    g) 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);

    h) Whether, given the facts and circumstances that have been established, continued participation in the sport community is appropriate;

    i) A Respondent who is in a position of trust, intimate contact or high-impact decision-making may face more serious sanctions; and/or

    j) Other mitigating or aggravating circumstances.

59. Any sanction imposed must be proportionate and reasonable. However, progressive discipline is not required, and a single incident of Prohibited Behaviour, Maltreatment or other misconduct may justify elevated or combined sanctions.

60. The discipline panel may apply the following disciplinary sanctions, singularly or in combination:

    a) **Verbal or Written Warning** - A verbal reprimand or an official, written notice that an Individual has violated the *Code of Conduct and Ethics* or other policy and that more severe sanctions will result should the Individual be involved in other violations[18]

    b) **Education** - The requirement that an Individual undertake specified educational or similar remedial measures to address the violation(s) of the *Code of Conduct and Ethics or* the UCCMS or other policy

    c) **Probation** - Should any further violations of the *Code of Conduct and Ethics* or the UCCMS or other policy occur during the probationary period, this may result in additional disciplinary measures, including, without limitation, 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

    d) **Suspension** - Suspension, either for a set time or until further notice, from participation, in any capacity, in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of SWSA. A suspended Individual may be eligible to return to participation, but reinstatement may be subject to certain restrictions or contingent upon the Individual satisfying specific conditions noted at the time of suspension

    e) **Eligibility Restrictions** - Restrictions or prohibitions from some types of participation but allowing participation in other capacities under strict conditions

    f) **Permanent Ineligibility** - Ineligibility to participate in any capacity in any program, activity, Event, or competition sponsored by, organized by, or under the auspices of SWSA

    g) **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 or appropriate

61. The discipline panel may apply the following presumptive sanctions which are presumed to be fair and appropriate for the listed Maltreatment:

    a) Sexual Maltreatment involving a Minor Complainant, or a Complainant who was a Minor at the time of the incidents complained of, shall carry a presumptive sanction of permanent ineligibility

    b) Sexual Maltreatment, Physical Maltreatment with contact, and Maltreatment related to interference or manipulation of process shall carry a presumptive sanction of either a period of suspension or eligibility restrictions

[18] For greater clarity, where an Individual is given a warning, this information will be kept on their disciplinary record for as long as permitted by SWSA's policies and practices regarding private and/or confidential information and it shall be disclosed on any screening disclosure form when requested.

c) While a Respondent has pending charges related to allegations of a crime against a person, if justified by the seriousness of the offence, the presumptive sanction shall be a period of suspension until a final determination is made by the applicable process.

62. An Individual's conviction for certain *Criminal Code* offenses involving harmful conduct shall carry a presumptive sanction of permanent ineligibility from participating in the activities of SWSA. Such *Criminal Code* offences may include, but are not limited to:

    a) Any child pornography offences

    b) Any sexual offences

    c) Any offence of physical violence

63. When imposing sanctions under this Policy, the discipline panel may take into account any previously established infractions committed by the Respondent(s) of the disciplinary policies of SWSA, the relevant SWSA National Sport Organization, any other Member, or any other sport organization that had authority over the Respondent.

64. Failure to comply with a sanction as determined by SWSA will result in an automatic suspension from participation in the activities of SWSA until such time as compliance occurs.

65. Records of all decisions will be maintained by SWSA. SWSA will submit all records to its National Sport Organization. Such records shall be retained and discarded in accordance with the relevant and applicable privacy legislation.

OSIC Sanction

66. SWSA acknowledges the obligation of a relevant National Sport Organization, as a Program Signatory to the OSIC, to ensure that any sanctions or measures imposed by the OSIC's Director of Sanctions and Outcomes will be implemented and respected within the National Sport Organization's jurisdiction (including at the provincial, territorial and club level), once the National Sport Organization receives appropriate notice of any sanction or measure from the OSIC and communicates the same to SWSA. The Safe Sport Liaison shall communicate any OSIC sanctions or measures resulting in a suspension of one year or longer, received from its National Sport Organization to Sask Sport.

Appeals

67. The decision of the discipline panel may be appealed in accordance with the *Appeal Policy*.

Confidentiality

68. The discipline and complaints process is confidential and involves only the PSO Safe Sport Liaison and relevant employees as determined by the Safe Sport Liaison, the Parties, the Independent Third Party, the investigator (if one is appointed), the Case Manager, the Complaint Resolution Officer, the discipline panel, Sask Sport and any independent advisors to the discipline panel, as well as the relevant SWSA National Sport Organization (as applicable).

69. None of the Parties (or their representatives or witnesses) or organizations referred to in Section 68 will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings, unless SWSA (or the relevant SWSA National Sport Organization, as applicable) is required to notify an organization such as an international federation, Sport Canada, Sask Sport or other sport organization (i.e., where a Provisional Suspension or interim measures have been imposed and communication is required to ensure that they may be enforced), or notification is otherwise required by law.

70. Any failure to respect the aforementioned confidentiality requirement may result in further sanctions or discipline by the Complaint Resolution Officer or discipline panel (as applicable) against the Party(ies) in breach.

Timelines

71. If the circumstances of the Reported complaint are such that adhering to the timelines outlined by this Policy will not allow a just resolution to the complaint, the discipline panel may direct that these timelines be revised.

Privacy

72. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SWSA's usual policies and practices regarding private and/or confidential information.

73. SWSA, or any of its delegates pursuant to this Policy (i.e., the Independent Third Party, Complaints Resolution Officer, Case Manager, discipline panel), shall comply with SWSA's usual policies and practices regarding private and/or confidential information in the performance of their services under this Policy.

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

INVESTIGATIONS POLICY

DISCRIMINATION, HARASSMENT, MALTREATMENT AND PROHIBITED BEHAVIOUR

Effective date	April 9, 2025
Archived date	
Date last reviewed	April 9, 2025
Scheduled review date	2026
Replaces and/or amends	Operational Policy Manual: Discipline & Complaints Policy (1.10), Board approved 24 March 2021
Approved by and date	SWSA Board of Directors, April 9, 2025
Appendix(-ces) to this Policy	

Purpose

1. The purpose of this Policy is to address how investigations will be conducted when necessary and as determined by the Independent Third Party pursuant to the *Discipline and Complaints Policy*.

2. Investigations shall only be conducted when the Independent Third Party considers that there is a need for an independent assessment to determine whether an allegation (or, where there are several allegations, which allegations), should be heard by a discipline panel pursuant to the *Discipline and Complaints Policy* because they constitute, if found to be true, a likely breach of the *Code of Conduct and Ethics*, the UCCMS, *Social Media Policy*, the *Athlete Protection Policy*, or any other relevant and applicable SWSA policy, or whether the allegation(s) are frivolous, vexatious or made in bad faith.[19]

Investigation

3. The Independent Third Party shall appoint the investigator in consultation with SWSA. Investigators who satisfy the relevant requirements to perform such duties can be found on the Sask Sport website here.

4. The investigator must be an independent third-party with training or investigation experience. The investigator must not be in a conflict-of-interest situation and should have no connection to either Party.

5. Federal and/or Provincial legislation related to Workplace Harassment or Workplace Violence may apply to the investigation if Harassment/Violence was directed toward a worker in a Workplace. The investigator should review workplace safety legislation, the organization's policies for human resources, and/or consult independent experts to determine whether legislation applies to the Reported complaint.

[19] As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. 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. Generally, a frivolous complaint will have no serious purpose or value

6. The investigation may take any form as decided by the investigator, guided by any applicable Federal and/or Provincial legislation. The investigation may include:

   a) Interviews with the Complainant(s);
   b) Witness interviews; and
   c) Interviews with the Respondent(s).

Investigator's Report

7. Upon completion of their investigation, the investigator shall prepare a report that includes a summary of evidence from the Parties and any witnesses interviewed. The report shall include an executive summary, which SWSA may share separately from the full report with the Parties.

8. The investigator's report shall contain a non-binding opinion regarding whether an allegation (or, where there are several allegations, which allegations) should be heard by a discipline panel pursuant to the *Discipline and Complaints Policy* because they constitute a likely breach of the *Code of Conduct and Ethics*, the UCCMS, *Social Media Policy*, the *Athlete Protection Policy*, or any other relevant and applicable SWSA policy, or whether the allegation(s) are frivolous, vexatious or made in bad faith.[20] The investigator may also make non-binding recommendations regarding the appropriate next steps (i.e., mediation, disciplinary procedures, further review or investigation).

9. Where necessary to protect the identity of any person that participated in the investigation, the investigator may redact names and anonymize any witness testimony that may result in the identification of the individual.

10. The investigator's report will be provided to the Independent Third Party who will disclose it to SWSA, which may disclose, at its discretion, either the full report or only the executive summary to the Parties. If necessary, and at the discretion of the Independent Third Party, other relevant Parties may be provided with an executive summary of the investigator's findings. The relevant SWSA National Sport Organization will be provided with a copy of the investigator's full report if the investigation has been conducted under the authority of SWSA; however, the relevant National Sport Organization shall not disclose the report to any third party without SWSA's express written consent.

11. The investigator's report shall be used for the purposes described in this Policy and in Section 25 of the *Discipline and Complaints Policy*.

12. The investigation report and any executive summary shall remain confidential once disclosed to SWSA, the relevant SWSA National Sport Organization, the Complainant and Respondent or any other relevant party. Any failure to respect this provision may be subject to a complaint and disciplinary measures being taken pursuant to the *Discipline and Complaints Policy*.

[20] As indicated in the Sport Dispute Resolution Centre of Canada's Investigation Guidelines, a Reported complaint shall not be characterized as vexatious if the evidence demonstrates that there was a reasonable basis for filing and pursuing it. For a complaint to be considered to have been made in bad faith, the investigator 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.

13. Should the investigator find that there are possible instances of offence under the *Criminal Code*, particularly related to Criminal Harassment (or Stalking), Uttering Threats, Assault, Sexual Interference, or Sexual Exploitation, the investigator shall advise the Complainant or SWSA to refer the matter to police.

14. The investigator must also inform SWSA of any findings of criminal activity. SWSA may decide whether to report such findings to police but are required to inform the police if there are findings related to the trafficking of Prohibited Substances or Methods (as indicated in the version of the World Anti-Doping Agency's Prohibited List currently in force), any sexual crime involving Minors, or any suspected abuse of a Minor, fraud against SWSA, or other offences where the lack of reporting would bring SWSA into disrepute.

Reprisal and Retaliation

15. An Individual who Reports a complaint to the Independent Third Party or who gives evidence in an investigation may not be subject to reprisal or retaliation from any individual or group. Any such conduct may constitute Prohibited Behaviour and will be subject to disciplinary proceedings pursuant to the *Discipline and Complaints Policy*.

False Allegations

16. An Individual who submits allegations that the investigator determines to be malicious, false or for the purpose of retribution, retaliation or vengeance (or that otherwise fall within the definition of Prohibited Behaviour) may be subject to a complaint under the terms of the *Discipline and Complaints Policy*. The investigator may recommend to SWSA that the Individual be required to pay for the costs of any investigation that comes to this conclusion. Any Individual who is liable to pay for such costs shall be automatically deemed to be not in good standing until the costs are paid in full and shall be prohibited from participating in any SWSA Events, activities or business and such information will be provided to Sask Sport's Dispute Resolution Office for inclusion on the long-term suspension registry (where applicable). SWSA, or the Individual against whom the allegations were submitted, may act as the Complainant with respect to making a complaint pursuant to this Section 16.

Confidentiality

17. The investigator will protect confidentiality to the extent possible and shall only share information on a need-to-know basis. However, the investigator may need to share information in order to ensure that natural justice has been served.

Privacy

18. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SWSA's usual policies and practices regarding private and/or confidential information.

19. SWSA or any of its delegates pursuant to this Policy (i.e., the Independent Third Party, the investigator), shall comply with SWSA's usual policies and practices regarding private and/or confidential information in the performance of their services under this Policy.

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

ALTERNATE DISPUTE RESOLUTION POLICY

Effective date	April 9, 2025
Archived date	
Date last reviewed	April 9, 2025
Scheduled review date	2026
Replaces and/or amends	Operational Policy Manual: Alternate Dispute Resolution Policy (1.2), Board approved 24 March 2021
Approved by and date	SWSA Board of Directors, April 9, 2025
Appendix(-ces) to this Policy	

Purpose

1. SWSA supports Individuals in seeking to resolve their own conflicts and recognize that, in many cases, disputes can be resolved directly and quickly in an informal way. In situations where direct action by Individuals may be inappropriate or unsuccessful, SWSA supports the principles of Alternate Dispute Resolution (ADR) to resolve disputes, which can be achieved through negotiation, facilitation, and mediation. ADR avoids the uncertainty, costs, and other negative effects associated with lengthy appeals or complaints, or with litigation.

2. SWSA encourages all Individuals to communicate openly, and to collaborate and use problem-solving and negotiation techniques to resolve their differences. SWSA believes that negotiated settlements are most often preferable to arbitrated outcomes. Negotiated resolutions to disputes with and among Individuals are strongly encouraged.

Application of this Policy

3. This Policy applies to all Individuals.

4. Opportunities for ADR may be pursued at any point in a dispute when all Parties to the dispute agree that such a course of action would be mutually beneficial.

Facilitation and Mediation

5. If all Parties to a dispute agree to ADR, a mediator or facilitator, acceptable to all Parties, shall be appointed to mediate or facilitate the dispute. The costs of the mediation or facilitation shall be borne by SWSA, unless agreed to otherwise with the Parties. The mediator or facilitator shall be a member of ADR Saskatchewan and shall otherwise comply with any applicable legislative or regulatory requirement to conduct mediation in the province of Saskatchewan.

6. Where a relevant SWSA National Sport Organization is involved in the matter, it may, upon agreement of the Parties, refer the matter for mediation using the mediation services of the Sport Dispute Resolution Centre of Canada (SDRCC).

7. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated and may, if they consider it appropriate, specify a deadline before which the Parties must reach a negotiated decision.

8. Should a negotiated settlement be reached, the settlement shall be reported to Safe Sport Liaison and the Independent Third Party. The Independent Third Party shall notify Sask Sport of any settlements that are reached (but shall not provide the settlement agreement to Sask Sport unless requested by Sask Sport). Any actions that are to take place as a result of the decision shall be enacted on the timelines specified by the negotiated settlement. Where SWSA may be required to implement any part of a negotiated settlement, it shall become a Party to the mediation or it shall be given the opportunity to approve the negotiated settlement, but only with respect to aspects of the settlement that it may be required to implement.

9. Should a negotiated settlement not be reached by the deadline specified by the mediator or facilitator at the start of the process (if set), or if the Parties to the dispute do not agree to ADR, the dispute shall be considered under the appropriate section of the *Discipline and Complaints Policy* or *Appeal Policy,* as applicable.

Final and Binding

10. Any negotiated settlement will be binding on the Parties and shall, unless the Parties decide otherwise, remain confidential and will be protected by SWSA's usual policies and practices regarding private and/or confidential information. Negotiated settlements may not be appealed.

11. No action or legal proceeding will be commenced against SWSA in respect of a dispute, unless SWSA has refused or failed to provide or abide by the dispute resolution processes set out in its governing documents.

Privacy

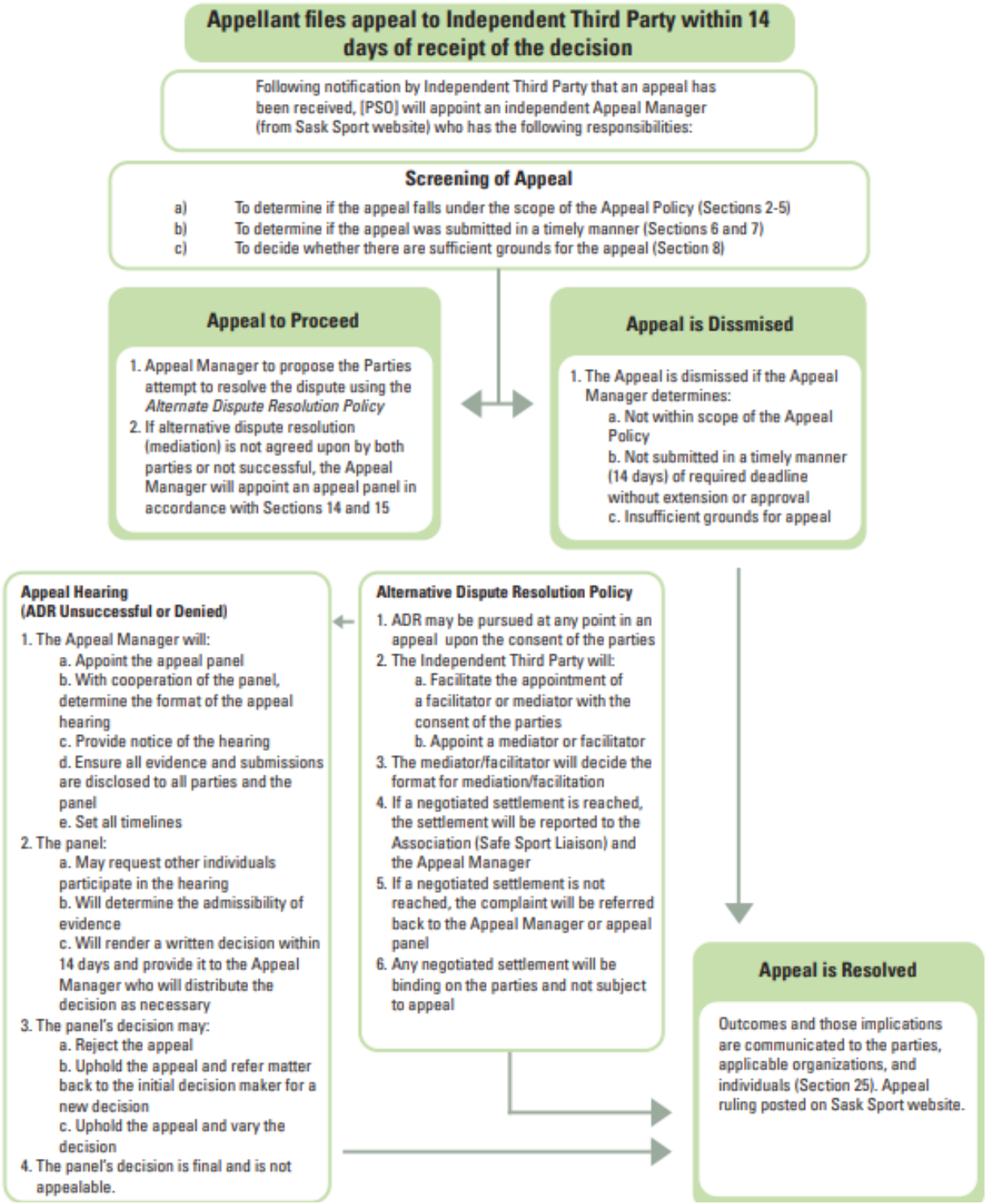
12. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SWSA's usual policies and practices regarding private and/or confidential information.

13. SWSA or any of its delegates pursuant to this Policy shall comply with SWSA's usual policies and practices regarding private and/or confidential information in the performance of their services under this Policy.

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

APPEAL POLICY FLOWCHART

All appeals are to be submitted to Sask Sport's identified Independent Third-Party for appeal submissions and will be screened by the Independent Appeal Manager to determine next steps.



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SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

APPEAL POLICY

Effective date	April 9, 2025
Archived date	
Date last reviewed	April 9, 2025
Scheduled review date	2026
Replaces and/or amends	Operational Policy Manual: Appeal Policy (1.3), Board approved 24 March 2021
Approved by and date	SWSA Board of Directors, April 9, 2025
Appendix(-ces) to this Policy	

Purpose

1. This Policy provides Individuals with a fair, affordable, and expedient appeal process.

Scope and Application of this Policy

2. This Policy applies to all Individuals. However, it does not apply to appeals of decisions that were managed by the OSIC, which shall be handled in accordance with the policies and procedures of the OSIC or the Director of Sanctions and Outcomes, as applicable.

3. Subject to Section 2, any Individual who is affected by a decision taken by SWSA[21] specifically with regard to that Individual, including a decision by the Board, by any committee of the Board, or by any body or individual within SWSA who has been delegated authority to make decisions in accordance with SWSA's bylaws and governance policies (as applicable), shall have the right to appeal that decision provided that it is a decision that is subject to appeal pursuant to Section 4 of this Policy, that the conditions indicated in Sections 6 or 7 of this Policy (as applicable) have been satisfied, and provided that there are sufficient grounds for the appeal pursuant to Section 8 of this Policy. Decisions rendered by SWSA's clubs or minor associations are also appealable under this Policy where: 1) no other appeal process exists at the club or minor association level; or 2) where an appeal process exists at the club or minor association and that appeal process has been exhausted; and 3) the appeal is otherwise admissible under this Policy pursuant to Sections 4, 6 (or 7) and 8.

4. This Policy **will apply** to decisions relating to:
    a) Team selection
    b) Conflict of interest
    c) Disciplinary decisions made pursuant to SWSA's in relation to complaints managed under Sections 39 and following of SWSA's *Discipline and Complaints Policy*
    d) Membership

5. This Policy **will not apply** to the following decisions relating to:
    a) Reported complaints that were managed by the OSIC;
    b) Any decisions rendered by a Complaint Resolution Officer pursuant to Section 35 of SWSA's *Discipline and Complaints Policy;*

[21] A separate document with term definitions that apply to all SWSA Policy is found online and in the SWSA Safe Sport Policy Manual.

c) Matters of general application such as amendments to the SWSA's bylaws;
d) SWSA's operational structure and committee appointments;
e) Issues of budgets and budget implementation;
f) Employment matters or matters of operational structure or staffing or volunteer leadership opportunities;
g) Except as otherwise provided for in this Policy, decisions made by organizations other than SWSA, such as the relevant SWSA National Sport Organization, Sask Sport, the Canadian Olympic Committee, the Canadian Paralympic Committee, U Sports, the International Olympic Committee, the International Paralympic Committee, the relevant International Federation, or the Fédération Internationale du Sport Universitaire, or any other governing body;
h) Selection criteria, quotas, policies and procedures established by entities other than SWSA;
i) Substance, content and establishment of team selection criteria;
j) The Athlete Assistance Program (AAP, Future Best) policies and procedures established by Sport Canada or Sask Sport;
k) Policy and procedures established by any other agency, association or organization external to SWSA (except as otherwise permitted under Section 3);
l) Infractions for doping offences, which are dealt with pursuant to the Canadian Anti-Doping Program, by the Canadian Centre for Ethics in Sport and the relevant International Federation;
m) Contractual matters between SWSA and its staff or Members for which another dispute resolution process exists under the provisions of the applicable contract; or
n) Settlements negotiated pursuant to the *Alternate Dispute Resolution Policy*.

Submission and Timing of Appeal

6. Individuals who wish to appeal a decision have fourteen (14) days from the date on which they received notice of the decision to submit to the Independent Third Party the following:
    a) Notice of the intention to appeal
    b) Their contact information
    c) Name of the Respondent and any Affected Parties, when known to the Appellant
    d) Date the Appellant was advised of the decision being appealed
    e) A copy of the decision being appealed, or description of the decision if a written document is not available
    f) Grounds and detailed reasons for the appeal
    g) All evidence that supports these grounds
    h) Requested remedy or remedies
    i) An administration fee of no more than five hundred dollars ($500), which will be refunded if the appeal is upheld

7. An Individual who wishes to initiate an appeal beyond the fourteen (14) day period may only do so if exceptional circumstances prevented them from filing their appeal within the deadline indicated in Section 6 above. Any such Individual must provide a written request stating the reasons for which they are seeking an exemption. The decision to allow, or not allow an appeal outside of the fourteen (14) day period will be at the sole discretion of the Appeal Manager.

Grounds for Appeal

8. A decision cannot be appealed on its merits alone or because an Individual (or Individuals) do not like or agree with a decision. An appeal may only be heard if there are sufficient grounds for appeal. Sufficient grounds include the Respondent:

    a) Made a decision that it did not have the authority or jurisdiction (as set out in the Respondent's governing documents) to make;
    b) Failed to follow its own procedures (as set out in the Respondent's governing documents);
    c) Made a decision that was influenced by bias (where bias is defined as a lack of neutrality to such an extent that the decision-maker appears not to have considered other views); or
    d) Made a decision that was grossly unreasonable.

9. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in Section 8 of this Policy and that this error had, or may reasonably have had, a material effect on the decision or decision-maker.

Screening of Appeal

10. Following notification by the Independent Third Party that an appeal has been received, SWSA will appoint an independent Appeal Manager who has the following responsibilities:

    a) To determine if the appeal falls under the scope of this Policy (Sections 2-5)
    b) To determine if the appeal was submitted in a timely manner (Sections 6 and 7)
    c) To decide whether there are sufficient grounds for the appeal (Section 8)

The Appeal Manager may not be an employee, volunteer, or member of SWSA, must not be in a conflict of interest or have any direct relationship with the Parties, and must have appropriate experience and training to act as the Appeal Manager.

11. If the Appeal Manager denies the appeal on the basis of insufficient grounds, because it was not submitted in a timely manner, or because it did not fall under the scope of this Policy, the Appellant will be notified, in writing, of the reasons for this decision.

12. If the Appeal Manager accepts an appeal because it falls under the scope of this Policy, there are sufficient grounds and it was submitted in a timely manner, the Appeal Manager will notify the Parties of their decision in writing and will follow the steps described hereunder.

13. The Appeal Manager shall propose and, if appropriate in the circumstances, encourage that the Parties attempt to resolve the dispute using the *Alternate Dispute Resolution Policy*. If the Parties do not all agree to use the *Alternate Dispute Resolution Policy*, or if the Parties are unable to resolve the dispute using the *Alternate Dispute Resolution Policy*, the Appeal Manager will appoint an appeal panel in accordance with Section 14 below.

Appointment of Appeal Panel

14. If an appeal is accepted, the Appeal Manager will appoint an appeal panel which shall consist of a single member to hear the appeal. However, at the discretion of the Appeal Manager, an appeal panel composed of three members may be appointed to hear the appeal. In this event, the Appeal Manager will appoint one of the panel's members to serve as the chair.

15. When appointing the appeal panel, the Appeal Manager must select individuals who are impartial, free from any real or perceived conflict of interest (and who shall remain so until a final decision has been rendered or the proceedings have otherwise finally terminated), and who do not have any direct relationship with any of the Parties. Although not a strict requirement, the Appeal Manager should attempt to appoint individuals to the appeal panel who have a legal background and who understand adaptive sport. When justified by the circumstances, the Appeal Manager may appoint individuals to the appeal panel who have specific areas of expertise that would assist in resolving the matter.

Determination of Affected Parties

16. In order to confirm the identification of any Affected Parties, the Appeal Manager will engage SWSA. The Appeal Manager may determine whether a Party is an Affected Party in their sole discretion.

Procedure for Appeal Hearing

17. The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager, in collaboration with the appeal panel, shall then decide the format under which the appeal will be heard. This decision is at the sole discretion of the Appeal Manager and may not be appealed.

18. If a Party chooses not to participate in the hearing, the hearing will proceed in any event.

19. The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, a hearing based on documentary submissions alone, or a combination of these methods. The hearing will be governed by the procedures that the Appeal Manager and the appeal panel deem appropriate in the circumstances, provided that:

    a) The hearing will be held in a timely manner within a timeline determined by the Appeal Manager
    b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications.
    c) Copies of any written documents which the Parties wish to have the appeal panel consider will be provided to all Parties in advance of the hearing
    d) The Parties may be accompanied by a representative, advisor, translator, transcription services, or legal counsel at their own expense
    e) The appeal panel may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications.
    f) The appeal panel may exclude any evidence filed by the Parties that is unduly repetitious or otherwise an abuse of process. The appeal panel shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to any evidence filed by the Parties

g) Nothing is admissible in evidence at a hearing that:
    i. would be inadmissible in a court by reason of any privilege under the law of evidence; or
    ii. is inadmissible by any statute.
h) Any Affected Party shall be permitted to make submissions and file evidence before the appeal panel. The appeal panel's decision is binding on any Affected Party
i) The decision to uphold or reject the appeal will be by a majority vote of the appeal panel members, except in cases where the panel consists of a single member

20. In fulfilling its duties, the appeal panel may obtain independent advice.

Appeal Decision

21. The appeal panel shall issue its decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion. In making its decision, the appeal panel will have no greater authority than that of the original decision-maker. The appeal panel may decide to:
    a) Reject the appeal and confirm the decision being appealed
    b) Uphold the appeal, in whole or in part, and refer the matter back to the initial decision-maker for a new decision
    c) Uphold the appeal, in whole or in part, and vary the decision
    d) Determine whether costs of the appeal, excluding legal fees and legal disbursements of any Parties, may be assessed against any Party. In assessing costs, the appeal panel will take into account the nature and amount of the costs, the outcome of the appeal, the conduct of the Parties, and the Parties' respective financial resources

22. The appeal panel's written decision, with reasons, will be distributed to all Parties, the Appeal Manager, SWSA and the relevant SWSA National Sport Organization, and Sask Sport. In extraordinary circumstances, the appeal panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter.

23. Subject to Section 24 below, unless the matter involves a Vulnerable Participant, Sask Sport shall publish the outcome of the appeal on their website. Publication shall be limited to, where applicable, the provision(s) of any relevant policies that have been violated, the name of the Respondent(s) involved, the sanction(s) or order imposed, if any. Additionally, where SWSA acts as the Complainant under Section 16 of the *Discipline and Complaints Policy* and any decision issued pursuant to that Policy is appealed, only SWSA, and not the original Complainant, shall be identified as an involved Individual. Identifying information regarding Minors or Vulnerable Participants will never be published by SWSA.

24. If the appeal panel dismisses the appeal, the decision may only be published, as provided for in Section 23, with the Respondent's consent. If the Respondent does not provide such consent, the decision will be kept confidential by the Parties, the Appeal Manager, SWSA and the relevant SWSA National Sport Organization, and shall be retained and discarded in accordance with the relevant and applicable privacy legislation. Failure to respect this provision may result in disciplinary action being taken pursuant to this Policy.

25. Sask Sport will publish the outcome of the case as provided for in Sections 23 or 24, as and when applicable, by placing the required information on its website and shall leave the information up for the longer of one (1) month or the duration of the sanction.

26. Other individuals or organizations, including but not limited to, other Members, shall be advised of the outcome of any decisions rendered in accordance with this Policy.

27. Any decision rendered pursuant to this Policy shall apply automatically to and must be respected by SWSA and any Individuals involved.

28. Records of all decisions will be maintained by SWSA and the relevant SWSA National Sport Organization in accordance with their respective privacy policies.

29. Any decision by SWSA's appeal panel in relation to an appeal filed pursuant to this *Appeal Policy* shall be final and binding on the parties. The decision shall not be subject to any further appeal before the Sport Dispute Resolution Centre of Canada (SDRCC), unless the original Parties to the appeal seize the SDRCC on a fee-for-service basis.

Timelines

30. If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a just resolution to the appeal, the Appeal Manager and/or appeal panel may direct that these timelines be revised.

Confidentiality

31. The appeals process is confidential and involves only the Parties, the Appeal Manager, the appeal panel, and any independent advisors to the panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.

32. Any failure to respect the aforementioned confidentiality requirement may result in disciplinary action being taken against the Individual(s) in accordance with SWSA's relevant and applicable policies.

Final and Binding

33. No action or legal proceeding will be commenced against SWSA or any Individuals in respect of a dispute, unless SWSA has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

Privacy

34. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SWSA's usual policies and practices regarding private and/or confidential information.

35. SWSA or any of its delegates pursuant to this Policy (i.e., Appeal Manager, appeal panel) shall comply with SWSA's usual policies and practices regarding private and/or confidential information in the performance of their services under this Policy.

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

SOCIAL MEDIA POLICY

Effective date	April 9, 2025
Archived date	
Date last reviewed	April 9, 2025
Scheduled review date	2026
Replaces and/or amends	Operational Policy Manual: Communication & Social Media Policy (1.6), Board approved 24 March 2021
Approved by and date	SWSA Board of Directors, April 9, 2025
Appendix(-ces) to this Policy	

Preamble

1. SWSA is aware that Individual interaction and communication occurs frequently on social media. SWSA cautions Individuals that any conduct falling short of the standard of behaviour required by this Policy and the *Code of Conduct and Ethics* may be subject to the disciplinary sanctions identified within the *Discipline and Complaints Policy*.

Application of this Policy

2. This Policy applies to all Individuals and to SWSA.

Conduct and Behaviour

3. For the avoidance of doubt, the following social media conduct may be subject to disciplinary action in accordance with the *Discipline and Complaints Policy*:

    a) Posting a disrespectful, hateful, harmful, disparaging, insulting, or otherwise negative comment on a social medium that is directed at an Individual, SWSA, the relevant SWSA National Sport Organization or another Member, or at other individuals connected with SWSA or the relevant SWSA National Sport Organization or its Members

    a) Posting a picture, altered picture, or video on a social medium that is harmful, disrespectful, insulting, or otherwise offensive, and that is directed at an Individual, SWSA, the relevant SWSA National Sport Organization or another Member, or at other individuals connected with SWSA or the relevant SWSA National Sport Organization or its Members

    b) Creating or contributing to a Facebook group, webpage, Instagram account, Twitter feed, blog, or online forum devoted solely or in part to promoting negative or disparaging remarks or commentary about SWSA, the relevant SWSA National Sport Organization or its Members, their stakeholders or their reputation

    c) Inappropriate personal or sexual relationships over a social medium between Individuals who have a Power Imbalance in their interactions, such as between Athletes and coaches, directors, officers, committee members and staff, officials and Athletes, etc.

    d) Any instance of cyber-bullying or cyber-harassment by an Individual, where incidents of cyber-bullying and cyber-harassment can include but are not limited to the following conduct on any social medium, via text-message, or via email: regular insults, negative comments, vexatious or unwelcome behaviour, pranks or jokes, threats, posing as another person, spreading rumours or lies, or other harmful behaviour.

4. All conduct and behaviour occurring on social media may be Reported pursuant to the *Discipline and Complaints Policy*.

Individuals' Responsibilities

5. Individuals acknowledge that their social media activity may be viewable and viewed by anyone, including SWSA, the relevant SWSA National Sport Organization, or other Members or Individuals.

6. If SWSA unofficially engages with an Individual in social media (such as by retweeting a tweet or sharing a photo on Facebook) the Individual may, at any time, ask SWSA to cease this engagement.

7. When using social media, an Individual must model appropriate behaviour befitting the Individual's role and status in connection with SWSA.

8. Removing content from social media after it has been posted (either publicly or privately) does not excuse the Individual from being subject to the *Discipline and Complaints Policy.*

9. An Individual who believes that another Individual's social media activity is inappropriate or may violate the policies and procedures of SWSA should Report the matter in the manner outlined by the *Discipline and Complaints Policy*.

Privacy

10. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SWSA's usual policies and practices regarding private and/or confidential information.

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

SCREENING POLICY

Effective date	April 9, 2025
Archived date	
Date last reviewed	April 9, 2025
Scheduled review date	2026
Replaces and/or amends	Operational Policy Manual: Criminal / Vulnerable Sector Record Check Policy (1.9), Screening Policy (1.20), Board approved 24 March 2021
Approved by and date	SWSA Board of Directors, April 9, 2025
Appendix(-ces) to this Policy	Appendix A – Screening Requirements Matrix Appendix B – Volunteer or Work Application Form Appendix C – Screening Disclosure Form Appendix D – Screening Renewal Form Appendix E – Request for Vulnerable Sector Check

Preamble

1. SWSA understands that screening personnel and volunteers is a vital part of providing a safe sporting environment and has become a common practice amongst sport organizations that provide programs and services to the Canadian sport community, and specifically within adaptive sport clubs and associations.

Application of this Policy

2. This Policy applies to all individuals whose position with SWSA is one of trust or authority which may relate to, at a minimum, finances, supervision, or Vulnerable Participants.

3. Not all individuals associated with SWSA will be required to obtain a criminal record check or submit screening documents. Individuals will be subject to the screening requirements described in the Screening Requirements Matrix found in **Appendix A** of this Policy and shall comply with the screening application requirements as detailed therein. For information on how to obtain an Enhanced Policy Information Check (E-PIC) or a Vulnerable Sector Check (VSC), please consult the SWSA Safe Sport webpage.

Screening Committee

4. The implementation of this Policy is the responsibility of an impartial individual appointed by SWSA that will function as the Screening Committee for all screening applications received pursuant to this Policy. This independent individual (hereinafter referred to as the "Screening Committee") will possess the requisite skills, knowledge and abilities to accurately assess screening documents and to render decisions under this Policy.

5. The Screening Committee will carry out its duties in accordance with the terms of this Policy.

6. The Screening Committee is responsible for reviewing all documents submitted with a screening application and, based on the review, making decisions regarding the related appropriateness of individuals filling positions within SWSA. In carrying out its duties, the Screening Committee may consult with independent

experts including lawyers, police, risk management consultants, volunteer screening specialists, or any other person.

Screening Requirements

7. A Screening Requirements Matrix is provided as **Appendix A**. All individuals must comply with the requirements detailed therein when first engaged by SWSA and shall respect the renewal requirements indicated in Section 21 below.

8. If an individual subsequently receives a charge, conviction for, or is found guilty of an offense they will report this circumstance immediately to SWSA. Additionally, the individual will inform the relevant organization of any changes in their circumstance that would alter their original responses in their Screening Disclosure Form.

9. If SWSA learns that an individual has provided false, inaccurate, or misleading information, the individual will immediately be removed from their position and may be subject to further discipline in accordance with the *Discipline and Complaints Policy.*

Procedure

10. Individuals must submit the screening documents indicated in **Appendix A**, according to the category in which they fall, to the Screening Committee. If an individual is uncertain of which category they fall into, they may contact SWSA for assistance. Any information submitted shall be subject to SWSA's usual policies and practices regarding private and/or confidential information, will only be viewed on a need-to-know basis, and will be protected in accordance with the relevant and applicable privacy legislation.

11. An individual who refuses or fails to provide the necessary screening documents, or makes an incomplete application, will be ineligible for the position sought. The individual will be informed by the Screening Committee that their application and/or position will not proceed until such time as the screening documents are submitted.

12. SWSA understands that there may be delays in receiving the results of an E-PIC or a VSC. At its discretion, the organization may permit the individual to participate in the role during the delay, provided that the individual demonstrates that they have initiated the E-PIC or VSC application process. This permission may be withdrawn at any time and for any reason.

13. SWSA recognizes that different information will be available depending on the type of screening document that the individual has submitted. For example, an E-PIC may show details of a specific offense, or not, and/or a VSC may be returned with specific information or simply a notification indicating 'cleared' or 'not cleared'. The Screening Committee will use its expertise and discretion when making decisions based on the screening documents that have been submitted.

14. The Screening Committee will review all Level 1 and Level 2 screening applications, including any supporting documents and shall make a decision as indicated in Section 15 below. For Level 3 screening applications, the Screening Committee will only review cases where the individual has made a declaration in their declaration form that may impact whether they can participate in the desired position.

15. Following the review of any Level 1 and Level 2 screening applications, the Screening Committee will decide whether:

    a) The individual has passed screening and may participate in the desired position;
    b) The individual has passed screening and may participate in the desired position with conditions;
    c) The individual has not passed screening and may not participate in the desired position; orMore information is required from the individual.

16. In making its decision, and where relevant, the Screening Committee will consider the type of offense, date of offense, and relevance of the offense to the position sought.

17. The Screening Committee must decide that an individual has not passed screening if the screening documentation reveals any of the following:

    a) <u>If imposed in the last three years</u>:
        i. Any offense involving the use of a motor vehicle that constitutes an offence of the Criminal Code
        ii. Any offense of assault, physical or psychological violence
        iii. Any offense for trafficking and/or possession of drugs and/or narcotics
        iv. Any offense involving conduct against public morals
        v. Any offense involving theft or fraud
    b) <u>If imposed at any time</u>:
        i. Any offense involving a Minor or Minors
        ii. Any offense involving the possession, distribution, or sale of any child-related pornography
        iii. Any sexual offense
        iv. Any sanctions deriving from a Maltreatment misconduct imposed by a discipline panel, the Abuse-Free Sport Director of Sanctions and Outcomes, an SDRCC Safeguarding Tribunal or any SDRCC appeal tribunal preventing the individual from participating in Canadian sport in accordance with the sanction

Conditions and Monitoring

18. Excluding the incidents above which, if revealed, would cause the individual to not pass screening, the Screening Committee may determine that incidents revealed on an individual's screening documents may allow the individual to pass the screening process and participate in a desired position with *conditions* imposed. The Screening Committee may apply and remove conditions at its discretion and will determine the means by which adherence to conditions may be monitored.

Young People

19. When screening Minors, SWSA will:
    a) Not require the Minor to obtain a VSC or E-PIC; and
    b) In lieu of obtaining a VSC or E-PIC, require the Minor to submit up to two (2) additional references.

Notwithstanding the above, SWSA may ask a Minor to obtain a VSC or E-PIC if the organization suspects the Minor has an adult conviction and therefore has a criminal record. In these circumstances, the organization will be clear in its request that it is not asking for the Minor's youth record. SWSA understands that they may not request to see a Minor's youth record.

Renewal

20. Unless the Screening Committee determines, on a case-by-case basis, to modify the submission requirements, individuals who are required to submit an E-PIC, Screening Disclosure Form, VSC, or Screening Renewal Form, are required to submit the documents as follows:

    a) An E-PIC every three years
    b) A Screening Disclosure Form every three years
    c) A Screening Renewal Form every year
    d) A Vulnerable Sector Check once

21. The Screening Committee may request that an individual provide any of the above documents at any time. Such request will be in writing and reasons will be provided for the request.

Orientation, Training, and Monitoring

22. The type and amount of orientation, training, and monitoring will be based on the individual's level of risk, at the discretion of SWSA.

23. Orientation may include, but is not limited to: introductory presentations, facility tours, safe sport policy training, equipment demonstrations, parent/Athlete meetings, meetings with colleagues and supervisors, orientation manuals, orientation sessions, and increased supervision during initial tasks or initial period of engagement.

24. Training may include, but is not limited to: certification courses, online learning, mentoring, workshop sessions, webinars, on-site demonstrations, and peer feedback.

25. At the conclusion of orientation and training, the individual will be required to acknowledge, in written form, that they have received and completed the orientation and training.

26. Monitoring may include but is not limited to: written or oral reports, observations, evaluations, tracking, electronic surveillance, and site visits.

Records

27. All records will be maintained in a confidential manner and will not be disclosed to others except as required by law, or for use in legal, quasi-legal, or disciplinary proceedings. This includes protecting all records in accordance with the relevant and applicable privacy legislation.

28. The records kept as part of the screening process include but are not limited to:

    a) An individual's Vulnerable Sector Check
    b) An individual's E-PIC (for a period of three years)
    c) An individual's Screening Disclosure Form (for a period of three years)
    d) An individual's Screening Renewal Form (for a period of one year)

e) Records of any conditions attached to an individual's registration by the Screening Committee
f) Records of any discipline applied to any individual by SWSA, the relevant SWSA National Sport Organization, by another Member, or by another sport organization

Privacy

29. The collection, use and disclosure of any personal information pursuant to this Policy is subject to SWSA's usual policies and practices regarding private and/or confidential information.

30. SWSA or any of its delegates pursuant to this Policy (i.e., Screening Committee) shall comply with SWSA's usual policies and practices regarding private and/or confidential information in the performance of their services under this Policy.

Appendix A – Screening Requirements Matrix

	Description	Requirements	Examples
Level 1	Individuals that hold a decision-making position, involved in high-risk assignments, occupies position of trust and/or authority, has a supervisory role, directs others, involved with finances, and who have frequent or unsupervised access to Vulnerable Participants	• Complete an Application Form • Complete a Screening Disclosure Form • Complete and provide a VSC • Provide one reference related to the position • Participate in training, orientation, and monitoring as determined by the organization • Provide a driver's abstract, if requested	Employees, Case Managers, full-time coaches, coaches that travel with athletes, caregivers, or coaches that could be alone with athletes
Level 2	Adult Athletes and individuals with direct athlete contact, individuals involved in medium risk assignments who may be in a supervisory role, may direct others, may be involved with finances, and/or who may have limited access to Vulnerable Participants	• Complete an Application Form • Complete a Screening Disclosure Form • Complete and provide an E-PIC • Provide one reference related to the position • Participate in training, orientation, and monitoring as determined by the organization • Provide a driver's abstract, if requested and relevant to the position	Athletes, coaches, training personnel, Athlete support personnel, non-coach employees or managers, Directors, Coaches who are typically under the supervision of another coach, officials, Event organizing committee
Level 3	Individuals with no direct contact with athletes, involved in low-risk assignments who are not in a supervisory role, not directing others, not involved with finances, and/or do not have unsupervised access to Vulnerable Participants	• Complete an Application Form • Complete a Screening Disclosure Form • Participate in training, orientation, and monitoring as determined by the organization	Certain employees and board members, certain volunteers, Parents, youth, or volunteers who are helping out on a non-regular or informal basis

Appendix B – Volunteer or Work Application Form

Note: Individuals who are applying to volunteer or work within certain positions with SWSA must complete this Application Form. Individuals need to complete an Application Form once for the position sought. If the individual is applying for a new position within SWSA, a new Application Form must be submitted.

NAME:

_____

First Middle Last

CURRENT PERMANENT ADDRESS:

_____

Street City Province Postal

DATE OF BIRTH: _____ **GENDER IDENTITY**: _____

Month/Day/Year

EMAIL: _____ **PHONE**: _____

POSITION SOUGHT: _____

By signing this document below, I agree to be subject to and adhere to the policies and procedures of SWSA, including but not limited to the *Code of Conduct and Ethics*, UCCMS, *Conflict of Interest Policy*, *Privacy Policy*, and *Screening Policy*. Policies are located at the following link:

I recognize that I must pass certain screening requirements depending on the position sought, as outlined in the *Screening Policy*, and that the Screening Committee will determine my eligibility to volunteer or work in the position.

NAME (print): _____ **DATE**: _____

SIGNATURE: _____

Appendix C – Screening Disclosure Form

NAME: _____
First Middle Last

OTHER NAMES YOU HAVE USED: _____

CURRENT PERMANENT ADDRESS:

_____
Street City Province Postal Code

DATE OF BIRTH: _____ **GENDER IDENTITY**: _____
Month/Day/Year

CLUB (if applicable): _____ **EMAIL**: _____

Note: Failure to disclose truthful information below may be considered an intentional omission and the loss of volunteer responsibilities or other privileges

1. Have you been convicted of a crime? If so, please complete the following information for *each conviction*. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Year Convicted: _____

Penalty or Punishment Imposed: _____

Further Explanation: _____

2. Have you ever been disciplined or sanctioned by a sport governing body or by an independent body (e.g., private tribunal, government agency, etc.) or dismissed from a coaching or volunteer position? If so, please complete the following information for each disciplinary action or sanction. Attach additional pages as necessary.

Name of disciplining or sanctioning body: _____

Date of discipline, sanction or dismissal: _____

Reasons for discipline, sanction or dismissal: _____

_____

Penalty or Punishment Imposed: _____

Further Explanation: _____

3. Are criminal charges or any other sanctions, including those from a sport body, private tribunal or government agency, currently pending or threatened against you? If so, please complete the following information for each pending charge or sanction. Attach additional pages as necessary.

Name or Type of Offense: _____

Name and Jurisdiction of Court/Tribunal: _____

Name of disciplining or sanctioning body: _____

Further Explanation: _____

PRIVACY STATEMENT

By completing and submitting this Screening Disclosure Form, I consent and authorize SWSA to collect, use and disclose my personal information, including all information provided on the Screening Disclosure Form as well as my Enhanced Police Information Check and/or Vulnerable Sector Check (when permitted by law) for the purposes of screening, implementation of the *Screening Policy*, administering membership services, and communicating with National Sport Organizations, Provincial Sport Organizations, Clubs, and other organizations involved in the governance of sport. SWSA do not distribute personal information for commercial purposes.

CERTIFICATION

I hereby certify that the information contained in this Screening Disclosure Form is accurate, correct, truthful and complete.

I further certify that I will immediately inform SWSA of any changes in circumstances that would alter my original responses to this Screening Disclosure Form. Failure to do so may result in the withdrawal of volunteer responsibilities or other privileges and/or disciplinary action.

NAME (print): _____ **DATE**: _____

SIGNATURE: _____

Appendix D – Screening Renewal Form

NAME: _____
First Middle Last

CURRENT PERMANENT ADDRESS:

_____
Street City Province Postal Code

DATE OF BIRTH: _____ **GENDER IDENTITY**: _____
Month/Day/Year

EMAIL: _____ **PHONE**: _____

By signing this document below, I certify that there have been no changes to my criminal record since I last submitted an Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to SWSA. I further certify that there are no outstanding charges and warrants, judicial orders, peace bonds, probation or prohibition orders, or applicable non-conviction information, and there have been no absolute and conditional discharges.

I agree that any Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I would obtain or submit on the date indicated below would be no different than the last Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form that I submitted to SWSA. I understand that if there have been any changes, or if I suspect that there have been any changes, it is my responsibility to obtain and submit a new Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form to the Screening Committee instead of this form.

I recognize that if there have been changes to the results available from the Enhanced Police Information Check and/or Vulnerable Sector Check and/or Screening Disclosure Form, and that if I submit this form improperly, then I may be subject to disciplinary action and/or the removal of volunteer responsibilities or other privileges at the discretion of the Screening Committee.

NAME (print): _____ **DATE**: _____

SIGNATURE: _____

Appendix E – Request For Vulnerable Sector Check

Note: SWSA will be required to modify this letter to adhere to any requirements from the VSC provider

INTRODUCTION

The Saskatchewan Wheelchair Sports Association is requesting a Vulnerable Sector Check for _____ (full name] who identifies as a _____ [gender identity] and who was born on _____ (birthdate).

DESCRIPTION OF ORGANIZATION

The Saskatchewan Wheelchair Sports Association is a not-for-profit Provincial organization for adaptive sport and is located in Saskatoon.

DESCRIPTION OF ROLE

_____ [individual's name] will be acting as a _____ [individual's role]. In this role, the individual will have access to vulnerable individuals.

_____

[Insert additional information re: type and number of vulnerable individuals, frequency of access, etc.]

CONTACT INFORMATION

If more information is required from The Saskatchewan Wheelchair Sports Association, please contact the Screening Committee Chair:

Executive Director
Saskatchewan Wheelchair Sports Association
510 Cynthia Street
Saskatoon, SK S7L 7K7
Email: swsa@shaw.ca
Phone: 306.975.0824

NAME (print): _____ **DATE**: _____

SIGNATURE: _____

SASKATCHEWAN WHEELCHAIR SPORTS ASSOCIATION (SWSA)

CONFLICT OF INTEREST POLICY

Effective date	April 9, 2025
Archived date	
Date last reviewed	April 9, 2025
Scheduled review date	2026
Replaces and/or amends	Operational Policy Manual: Conflict of Interest Policy (1.8), Governance Policy Manual: Conflict of Interest Policy (2.4), Board approved 24 March 2021
Approved by and date	SWSA Board of Directors, April 9, 2025
Appendix(-ces) to this Policy	Appendix A - Conflict of Interest Declaration Form

Background

1. Individuals who act on behalf of an organization have a duty first to that organization and second to any personal stake they have in the operations of the organization. For example, in not-for-profit organizations, directors are required, by law, to act as a trustee (in good faith, or in trust) of the organization. Directors, and other stakeholders, must not put themselves in positions where making a decision on behalf of the organization is connected to their own “pecuniary” or “non-pecuniary” interests. That would be a conflict-of-interest situation.

Purpose

2. SWSA strives to reduce and eliminate nearly all instances of conflict of interest at SWSA – by being aware, prudent, and forthcoming about the potential conflicts. This Policy describes how Individuals will conduct themselves in matters relating to conflict of interest and will clarify how Individuals shall make decisions in situations where conflict of interest may exist. This Policy applies to all Individuals.

Obligations

3. Any real or perceived conflict of interest, whether pecuniary or non-pecuniary, between an Individual’s personal interest and the interests of SWSA, shall always be resolved in favour of SWSA.

4. Individuals will not:
    a) Engage in any business or transaction, or have a financial or other personal interest, that is incompatible with their official duties with SWSA, unless such business, transaction, or other interest is properly disclosed to SWSA and approved by SWSA.
    b) Knowingly place themselves in a position where they are under obligation to any person who might benefit from special consideration or who might seek preferential treatment.

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c) In the performance of their official duties, give preferential treatment to family members, friends, colleagues, or organizations in which their family members, friends, or colleagues have an interest, financial or otherwise.
d) Derive personal benefit from information that they have acquired during the course of fulfilling their official duties with SWSA, if such information is confidential or not generally available to the public.
e) Engage in any outside work, activity, or business or professional undertaking that conflicts or appears to conflict with their official duties as a representative of SWSA, or in which they have an advantage or appear to have an advantage on the basis of their association with SWSA.
f) Without the permission of SWSA, use SWSA's property, equipment, supplies, or services for activities not associated with the performance of their official duties with SWSA.
g) Place themselves in positions where they could, by virtue of their role with SWSA, influence decisions or contracts from which they could derive any direct or indirect benefit.
h) Accept any gift or favour that could be construed as being given in anticipation of, or in recognition for, any special consideration granted by virtue of their role with SWSA.

Disclosure of Conflict of Interest

5. On an annual basis, all of SWSA's directors, officers, employees, and committee members will complete a Declaration Form (Appendix A) disclosing any real or perceived conflicts that they might have. Declaration Forms shall be retained by SWSA for as long as required.

6. Individuals shall disclose real or perceived conflicts of interest in the Declaration Form and, thereafter, shall provide updates to SWSA's board immediately upon learning that a conflict of interest may have arisen or exist.

7. Individuals shall also disclose any and all affiliations with any and all other organizations involved with the same sport or any other sport or organization (should such involvement result in a potential conflict of interest, whether real or perceived). These affiliations include any of the following roles: athlete, coach, manager, official, employee, volunteer, officer or director.

Minimizing Conflicts of Interest in Decision-Making

8. Decisions or transactions that involve a conflict of interest that has been proactively disclosed by an Individual will be considered and decided with the following additional provisions:
    a) The nature and extent of the Individual's interest has been fully disclosed to the body that is considering or making the decision, and this disclosure is recorded or noted.
    b) The Individual does not participate in discussion on the matter.
    c) The Individual abstains from voting on the decision.
    d) For board-level decisions, the Individual does not count toward quorum.
    e) The decision is confirmed to be in the best interests of SWSA.

9. For potential conflicts of interest involving the Executive Director of SWSA, SWSA's board will determine whether there is there a conflict and, if one exists, the Executive Director will resolve the conflict by ceasing the activity giving rise to the conflict. For any potential conflict of interest involving employees, the Executive Director will determine whether a conflict of interest exists. SWSA will not restrict employees from accepting

other employment contracts or volunteer appointments provided these activities do not diminish the employee's ability to perform the work described in the employee's job agreement with SWSA or give rise to a potential conflict of interest.

Conflict of Interest Complaints

10. Any person who believes that an Individual may be in a conflict-of-interest situation should report the matter, in writing (or verbally if during a meeting of the board or any committee), to SWSA's board who will decide appropriate measures to eliminate or address the conflict as quickly as possible.

11. Failure to comply with an action as determined by the board may result in disciplinary action being taken pursuant to the Discipline and Complaints Policy.

12. Any person who believes that an Individual has made a decision that was influenced by real or perceived conflict of interest may submit a complaint, in writing, to SWSA to be addressed under SWSA's Discipline and Complaints Policy.

13. SWSA's board may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant suspension of designated activities pending the final outcome of the matter.

Enforcement

14. Failure to adhere to this Policy may result in disciplinary action being taken in accordance with SWSA's Discipline and Complaints Policy.

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APPENDIX A: CONFLICT OF INTEREST DECLARATION FORM

1. I have read SWSA's Conflict of Interest Policy, I agree to be bound by the obligations contained therein, and I commit to avoid any real or perceived conflict of interest. I also commit to disclosing the existence of any real or perceived conflict of interest to the Board, as soon as it is known to me.

2. I declare the following interests which may represent a potential conflicting interest:

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_____

NAME (print): _____ **DATE**: _____

SIGNATURE: _____

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