



DISCIPLINARY ACTIONS POLICY

This policy guides a British Columbia Fencing Association (BCFA) processes including potential disciplinary measures in response to complaints related to activities and events that are primarily overseen by the BCFA. Complaints about activities and events that are primarily overseen by another authority or another association, such as Canadian Fencing Federation (CFF), for example, should be directly addressed to that specific authority.

1. Dictionary

1.1. BCFA – British Columbia Fencing Association

1.2. BCFA Board – a board of directors annually elected by the members of the Association.

1.3. BCFA President – an executive member of the BCFA Board appointed by the Board to lead, represent, and facilitate the activities of the Board and BCFA.

1.4. Complainant - an individual who submitted a complaint to the Board.

1.5. Respondent - an individual against whom a complaint was submitted.

1.6. Grievance - a dispute between members that do not fall under the “Justification” outlined in section 2 of this policy, and that may affect significantly the BCFA activity, operations and events. For more information refer to the section 6 of this policy.

1.7. BCFA Code of Conduct – a policy of conduct expectations that applies to all members of BCFA. Refer to the most updated version at BCFA website.

1.8. BCFA Bullying and Harassment Policy – a policy a policy of conduct expectations that applies to all members of BCFA. Refer to the most updated version at BCFA website.

2. Justification

BCFA reserves the right to take a reasonable disciplinary measure up to a BCFA membership termination when BCFA finds and concludes that an individual, or a group of individuals, fails to comply with one of the mandatory requirements outlined below in sections 1.a through 1.e.

- a. Comply with the BCFA Code of Conduct.
- b. Comply with the rules of training events or/and tournaments, including training camps organized by BCFA.
- c. Represent the BCFA in a professional manner that reflects a positive public image of BCFA and its members.
- d. Pay any indebtedness to BCFA within the allotted time period.
- e. Perform specified duties agreed upon between the individual an BCFA.

3. Procedure

3.1 A formal complaint is to be submitted in writing at bcfa@bcfencingassociation.com. The email to include any relevant details – who, what, when, and where. The complaint can be anonymous and will be reviewed based on the presented information.

3.2 Before imposing any disciplinary measures, the BCFA Board commits to conducting a fair and full review and investigation with all relevant parties and witnesses. Serious consideration is to be given to privacy, confidentiality, and personal safety when communicating with various parties with regard to this matter. All information from this investigation must be documented and kept on file at the head office, confidential and to be viewed and accessed only by designated authorized individuals involved in the review of the matter.

3.3 Upon the receipt of a complaint, the President of BCFA, or other member designated by the Board to act as Complaint Review Officer, will:

- a. Inform the Board about the matter within seventy-two (72) hours from the receipt of the complaint or earlier.
- b. Commence collecting relevant information as soon as possible.
- c. Report initial findings and recommendations to the Board within five (5) working days from the receipt of the initial complaint.

3.4 The BCFA Board will:

- d. Inform in writing the Respondent – individual/s against whom the complaint was launched - about the general nature of the complaint and Board actions about it offering an opportunity to respond to the complaint within ten (10) working days or earlier.
- e. Decide collectively on further steps within twenty-one (21) working days, or earlier, from the receipt of the initial complaint and advise the complainant and the individual/s against the complaint that was launched about the progress, unless the Complainant is anonymous.
- f. The complainant and the Respondent may respond to the communication (section e) from the Board within ten (10) working days by offering more details or appealing the decision of the Board. If the Board has made a decision and there is no additional new information and no appeals the decision will be considered as final.

3.5 If the individual/s in question, the Respondent, is under the age of majority (19 years old), the communication will be addressed to a parent or a legal guardian. If the individual/s is an adult, the communication will be addressed directly. Notices will be sent by registered mail.

3.6 Should a Board member or an employee of BCFA be a subject of the complaint this person must not be part of a group of people who review the complaint on behalf of BCFA and must not get any access to any information beyond that addressed by BCFA to a complaint Respondent - individual/s against whom the complaint was launched. The Respondent must not have any decision or voting ability in the case.

3.7 A Special Committee can be initiated and created by the BCFA Board, if deemed necessary, to act on a complex matter. For example, a matter concerning sexual harassment, physical injury, theft, and discrimination. The committee must include 3 members of whom at least one is a BCFA Board member and may also include members who are not part of BCFA. A Respondent and a Complainant must not take part in the committee. A Disciplinary Committee must collect any and all relevant witness statements, documents/documentation, and conduct any interviews as is necessary prior to making any decision. All information from this investigation must be documented and kept on file at the head office.

The Board is to advise the Complainant, unless anonymous, and the Respondent in writing about the special committee formation via registered mail within five (5) working days from the committee formation.

3.8 If the individual, or one of the individuals in question, is under the age of majority (19 years old), delivery of the censure report will be addressed to his or her parent or legal guardian. If the individual or one of the individuals is an adult, notice will be sent directly to him or her. Notices will be sent by registered mail.

3.9 A decision made on a matter in question by BCFA is final unless is appealed under section 4 Appeal Process.

3.10 In the event that an athlete is attending a British Columbia Fencing Association-sponsored event, such as a camp, the individual will be asked to leave the event. They will be required to travel home at their own, or their parents', expense. A decision to send an athlete home must come from a majority of the coaches at the training event and the British Columbia Fencing Association President or in the absence of the President another Board member acting in this executive role. Athletes will be sent home via public transportation, if available, or be escorted by a coach or chaperone to their place of residence, if within 50 kilometers of the event.

3.11 The decision of the BCFA to take immediate effect.

4. Appeal Process

4.1 When disciplinary action is taken against an individual or individuals by the Association, the individual or individuals has the right to appeal the decision.

4.2 The censured individual will have ten (10) working days after the receipt of the disciplinary action to prepare and deliver a written appeal to the BCFA.

4.3 The Board will meet within ten (10) working days of receipt of the appeal and advise the individual of their decision. The Board's reply will be delivered within ten (10) working days. This decision will not be open for appeal and will be final.

4.4 The decision of the BCFA to take immediate effect.

5. Disciplinary Measures

4.1 BCFA can only take action in relation to activities and events that are primarily overseen by the BCFA. Complaints about activities and events that are primarily overseen by another authority or another association, such as CFF, for example, should be directly addressed to that specific authority. BCFA will use discretion to refer the matter in question to police or other law enforcement or government agencies.

The disciplinary measures taken by BCFA may include, but are not limited to:

- Warning letter
- Ban from a BCFA event
- Revoking of funding or/and scholarship
- Order to step down from a position with BCFA
- BCFA membership removal

6. Dispute or Grievance Resolution Policy

6.1. Where a grievance or a dispute exists between parties within the Association, or between an external party and a party associated with the Association, the Complainant shall first attempt to rectify the situation with the party in question. Should this attempt fail to rectify the situation the complainant is expected to submit the grievance in writing the BCFA at bcfa@bcfencingassociation.com.

6.2 The Board will review the grievance within fourteen (14) working days and will get back to the complainant in writing with a decision or more questions or other status advisory.

6.3 The decision of the Executive Committee or the Board of Directors is considered final. There will be no appeal process on grievance matters.