



# **SASKATCHEWAN BLIND SPORTS ASSOCIATION**

## **POLICY AND PROCEDURES MANUAL**

**REVISED JUNE 3, 2016**

## INDEX

### ADMINISTRATION

Location of Registered Office.....	Page 1.1
SBSA Financially Responsible for National Events.....	Page 1.2
ASNPO accounting standards.....	Page 1.3

### ALLOWANCES

Meal .....	Page 2.1
Travel .....	Page 2.2
Business Conducted Outside the Office .....	Page 2.3

### BUDGETS

New Participants Joining a Sport.....	Page 3.1
New Sports and Inactive Sports.....	Page 3.2
Miscellaneous Items .....	Page 3.3
Trophy Cost .....	Page 3.4
Report to Assist Sport Co-ordinators.....	Page 3.5
November 15 <sup>th</sup> , Submit Budgets and List of Participants.....	Page 3.6

### CORRESPONDENCE

Correspondence e-mailed to Board of Directors .....	Page 4.1
Financial Report e-mailed to Board of Directors.....	Page 4.2
Members e-mailed Notice of AGM and Attachments.....	Page 4.3

### DEFINITIONS .....

Page 5.1

### MEMBERSHIP

Membership Fee .....	Page 6.1
March 15 <sup>th</sup> , Membership Renewal Forms mailed.....	Page 6.2
May 1 <sup>st</sup> , Sport Co-ordinators advised Participants Not Renewed ...	Page 6.3
After AGM, Sport Co-ordinators advised Participants Not Renewed .	Page 6.4
Late Fee.....	Page 6.5
Membership Forms to indicate B1, B2, B3 or Sighted.....	Page 6.6

### NEWSLETTER

Minimum of two Newsletters in a fiscal year .....	Page 7.1
---	----------

### PARTICIPATION FEES

Incentive Program.....	Page 8.1
Participation Fees Amounts .....	Page 8.2
Eligibility for Participation Fees Reimbursement .....	Page 8.3
Participation Fees Reimbursement placed as “Other” Expense .....	Page 8.4
Dates Participation Fees are to be paid.....	Page 8.5
Participant new to a sport.....	Page 8.6

## **POLICIES**

Board of Directors Orientation Package .....	Page 9.1
Dispute Resolution Policy .....	Page 9.2
Harassment Policy .....	Page 9.3
Screening Policy .....	Page 9.4
Sport Policy.....	Page 9.5
Annual Review of Policy and Procedures Manual;	
BOD, ED, Sport Co-ordinators and Assistants receive copy .....	Page 9.6
Prohibited Conduct in Sport Policy .....	Page 9.7
Code for Prohibited Conduct in Sport .....	Page 9.8
Conflict of Interest Policy .....	Page 9.9
Member Assistance Program (MAP) Funding Policy .....	Page 9.10
Respect In Sport (RIS) Policy.....	Page 9.11
Cheque Requisition Policy.....	Page 9.12
CFL delay or strike impact on All In One Football Pool.....	Page 9.13
Alternate Dispute Resolution Policy.....	Page 9.14
Appeal Policy.....	Page 9.15
Code of Conduct Policy .....	Page 9.16
Discipline and Complaints Policy.....	Page 9.17
Affiliate Club Policy .....	Page 9.18

## **SPORT CO-ORDINATORS**

STD Calls Annual Meetings .....	Page 10.1
STD Communicates Board Decisions .....	Page 10.2
Voting for Sport Co-ordinators.....	Page 10.3
Termination of Sport Co-ordinators .....	Page 10.4
Co-ordinating\Assisting one or more sports .....	Page 10.5
Expense Approved Prior to Reimbursement .....	Page 10.6
GST .....	Page 10.7
Travel Arrangements made through SBSA Office .....	Page 10.8
National and International Competitions.....	Page 10.9
Member Information for Recruitment .....	Page 10.10
Each Sport Co-ordinator recruit an Assistant for their role .....	Page 10.11
Memberships to organizations not a budget item .....	Page 10.12

## **SUSPENSION**

Membership Revoked .....	Page 11.1
Suspended Members List.....	Page 11.2
Sask Sport Informed of Suspended Members.....	Page 11.3
New Board Members Made Aware of Suspended Members .....	Page 11.4

Page 3...  
Index - continued -

VOTING and ELECTIONS

Members 18 years or older eligible to vote at SBSA meetings. ....	Page 12.1
Members 18 years or older to hold a position on SBSA BOD .....	Page 12.2
Voting by Proxy.....	Page 12.3
Nominee not present at AGM.....	Page 12.4

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Administration  
PAGE #: 1.1

APPROVED: June 3, 2000  
REVISED: January 16, 2010

The registered office shall be located in Saskatchewan with the exact location to be determined by the Board of Directors.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Administration  
PAGE #: 1.2

APPROVED: January 8, 2000  
REVISED: January 16, 2010

SBSA shall assume responsibility for all profit and/or loss when hosting a national event. SBSA shall have control of all financial matters relating to the event.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Administration  
PAGE #: 1.3

APPROVED: March 26, 2013  
REVISED: March 26, 2013

SBSA shall adopt the ASNPO for the new accounting standards for not-for-profit organizations.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Allowances  
PAGE #: 2.1

APPROVED: September 10, 2005  
REVISED: October 1, 2011

The meal allowance including gratuities shall be \$50.00 over a 24-hour period for the Board of Directors Guides and Executive Director attending a Board Meeting. Alcohol shall not be an eligible expense. Itemized original receipts shall be submitted to SBSA office for reimbursement.



SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Allowances  
PAGE #: 2.2

APPROVED: September 10, 2005  
REVISED: January 16, 2010

The travel allowance shall be 40¢ per km for the Board of Directors and Executive Director attending a Board Meeting and participants attending a provincial sport tournament.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Allowances  
PAGE #: 2.3

APPROVED: September 13, 2008  
REVISED: January 16, 2010

The Executive Director shall receive \$30.00 per month to cover personal expenses for conducting SBSA business outside the office in Saskatoon.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Budgets  
PAGE #: 3.1

APPROVED: January 13, 2001  
REVISED: January 16, 2010

The approved sport budgets shall take into consideration that should new participants join a sport, a monetary percentage shall be added to that budget to include those participants.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Budgets  
PAGE #: 3.2

APPROVED: October 2, 2004  
REVISED: May 27, 2011

New sports or the currently inactive sports shall be budgeted as a Sport Project under Special Projects until said sport becomes large enough to be an independent entry in the budget.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Budgets  
PAGE #: 3.3

APPROVED: January 12, 2008  
REVISED: January 16, 2010

Miscellaneous listed as a budget item shall have details showing what the budget items include.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Budgets  
PAGE #: 3.4

APPROVED: January 12, 2008  
REVISED: May 27, 2011

The cost of a trophy shall not exceed \$25.00. Cash prizes may be used as an alternative to trophies.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Budgets  
PAGE #: 3.5

APPROVED: September 13, 2008  
REVISED: January 16, 2010

The Executive Director shall prepare and provide to the Sport Technical Director and each respective Sport Co-ordinator a report annually that compares previous year's budget to actuals with the current year to assist when preparing next year's budget.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Budgets  
PAGE #: 3.6

APPROVED: March 14, 2009  
REVISED: October 13, 2012

The Sport Co-ordinators shall submit their respective budget and a list of participants by November 15<sup>th</sup>. Should a list of participants not be submitted, the Board of Directors shall have the authority to adjust the respective sport budget.



SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Correspondence  
PAGE #: 4.1

APPROVED: April 5, 2008  
REVISED: January 16, 2010

All correspondence shall go out to the Board of Directors by e-mail unless a hard copy is requested.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Correspondence  
PAGE #: 4.2

APPROVED: September 12, 2009  
REVISED: January 16, 2010

The financial report shall be e-mailed to the Board of Directors the Wednesday prior to the meeting.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Correspondence  
PAGE #: 4.3

APPROVED: May 27, 2011  
REVISED: May 27, 2011

Members who have indicated “e-mail” on their Membership Form shall receive Notice of AGM and attachments by e-mail.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Definitions  
PAGE #: 5.1

APPROVED: November 27, 2009  
REVISED: June 3, 2016

**Blind** A member of SBSA who is blind or partially sighted and holds or is eligible to hold a current CNIB Client Card

**Participant** A member of SBSA who actively participates in SBSA sports and pays participation fees

**Sighted** A member of SBSA who is sighted

**Volunteer** A member of SBSA who provides a service for SBSA as a volunteer such as committees, board, guides, coaches and officials. Volunteers are not required to pay participation fees.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Membership  
PAGE #: 6.1

APPROVED: May 27, 2006  
REVISED: January 16, 2010

Membership shall be \$10.00.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Membership  
PAGE #: 6.2

APPROVED: March 26, 1994  
REVISED: October 13, 2012

Membership renewal forms shall be mailed out March 15<sup>th</sup>. Failure to renew by the AGM shall result in the participant not being eligible for SBSA funding until such time a membership is taken out. Cheques for memberships shall be dated not before April 1<sup>st</sup>. The letter accompanying the membership renewal form shall indicate the timeframe in which memberships are to be renewed.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Membership  
PAGE #: 6.3

APPROVED: March 14, 2009  
REVISED: October 13, 2012

On May 1<sup>st</sup>, the Membership Development Director shall advise the Sport Co-ordinators of their respective participants who have not renewed their membership.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Membership  
PAGE #: 6.4

APPROVED: June 4, 2004  
REVISED: October 13, 2012

After the AGM, the Membership Development Director shall advise the Sport Co-ordinators of their respective participants who have not renewed their membership.



SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Membership  
PAGE #: 6.5

APPROVED: June 4, 2004  
REVISED: October 13, 2012

A late fee of \$15.00 shall be assessed and the established membership fee to a participant who has not renewed their membership by the AGM. A late fee shall not be assessed to a volunteer who renews their membership after the AGM. No SBSA budget dollars shall be expended on non-paid members.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Membership  
PAGE #: 6.6

APPROVED: October 13, 2012  
REVISED: October 13, 2012

The Membership Forms shall include the designations of B1, B2, B3 or Sighted for statistical purposes.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Newsletter  
PAGE #: 7.1

APPROVED: October 3, 1992  
REVISED: September 7, 2013

SBSA shall distribute a minimum of two newsletters per fiscal year to its members who have provided their e-mail address to the Association. The newsletter shall be prepared by the Executive Director and e-mailed to the Board of Directors before it is circulated to the members. The newsletter shall be posted on the SBSA website.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Participation Fees  
PAGE #: 8.1

APPROVED: March 25, 2000  
REVISED: January 16, 2010

SBSA shall provide an incentive program for participants for fundraising activities to be applied by a credit formula for reimbursement of participation fees as determined by the Board of Directors for each individual fundraising initiative. Credits shall be used in the current fiscal year and cannot be carried forward.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Participation Fees  
PAGE #: 8.2

APPROVED: January 14, 2006  
REVISED: September 21, 2014

Provincial participation fees shall be \$50.00.  
Regional/National participation fees shall be \$100.00 for each competition within a sport.  
International participation fees shall be \$200.00 for each competition within a sport.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Participation Fees  
PAGE #: 8.3

APPROVED: November 27, 2009  
REVISED: January 16, 2010

Upon receipt of sold All In One Football Pool Tickets, the All In One Co-ordinator shall confirm with the Executive Director that participation fees have been paid to determine eligibility of participation fees reimbursement.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Participation Fees  
PAGE #: 8.4

APPROVED: September 12, 2009  
REVISED: January 16, 2010

Participation fees reimbursement shall be placed in “Other” expense category of the annual budget.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Participation Fees  
PAGE #: 8.5

APPROVED: January 16, 2010  
REVISED: October 13, 2012

Provincial participation fees for golf and powerlifting shall be submitted by May 1<sup>st</sup>. Provincial participation fees for bowling, curling and goalball shall be submitted by November 15<sup>th</sup>. No SBSA budget dollars shall be expended on members who have not paid their respective Participation Fees.



SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Participation Fees  
PAGE #: 8.6

APPROVED: January 16, 2010  
REVISED: October 13, 2012

A participant new to a sport shall be allowed to participate one time prior to paying the applicable Participation Fees. Participation Fees shall be paid the next time participating in that sport in order to continue participation.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.1

APPROVED: October 2, 2004  
REVISED: June 12, 2015

SBSA shall have available a Board of Directors Orientation Package to include SBSA Constitution and Bylaws, Policy and Procedures Manual, SBSA List of Suspended Members.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.2

APPROVED: September 10, 2005  
REVISED: January 16, 2010

SBSA shall incorporate a Dispute Resolution Policy.

# **DISPUTE RESOLUTION POLICY SASKATCHEWAN BLIND SPORTS ASSOCIATION**

## **Table of Contents**

- 1. Dispute Resolution Bodies (Investigation Committee and Hearing Committee)**
- 2. Misconduct**
- 3. Referral and review of complaints and incidents**
- 4. Investigation**
- 5. Interim suspension of member**
- 6. Acting upon the Investigator's report**
- 7. Hearings**
- 8. Procedure**
- 9. Disciplinary Powers**
- 10. Deference to Other Authorities**
- 11. Time for Completion**
- 12. Appeal to the Board**
- 13. Effect of Expulsion or Suspension**
- 14. Reinstatement**
- 15. Conflict of Interest or Bias**
- 16. Records and Use of Decisions**

## **1. Dispute Resolution Bodies**

Two bodies will be appointed to resolve disputes, whether arising from allegations of harassment or other misconduct, team selection, employment or other issues.

### **1.1 Investigation Committee**

- 1) The investigation committee is established consisting of a chairperson and such other persons as the chairperson may appoint.
- 2) The board shall appoint the chairperson of the investigation committee.
- 3) The chairperson may appoint members to the committee from time to time for the purpose of that appointee serving as investigator of a specific complaint.
- 4) Members of the hearing committee and members of the board are not eligible to be a member of the investigation committee.

### **1.2 Hearing Committee**

- 1) The Executive Director, upon receipt of a report from the investigation committee which recommends that a hearing be conducted, shall appoint a hearing committee consisting of one or three persons.
- 2) Members of the investigation committee and members of the board are not eligible to be appointed as a member of the hearing committee.
- 3) If the Executive Director considers it appropriate to do so, the Executive Director shall appoint to the hearing committee a person nominated by each party to the dispute.

## **2. Misconduct**

2.1 Any matter, conduct or thing, whether or not disgraceful or dishonourable, is misconduct if:

- 1) It is contrary to the best interests of Saskatchewan Blind Sports Association or of any participant (player, coach, official or spectator).
- 2) It is contrary to the bylaws of Saskatchewan Blind Sports Association.
- 3) It is contrary to any Code of Conduct established by Saskatchewan Blind Sports Association.
- 4) It is a failure to comply with an order pursuant to this dispute resolution policy by the Executive Director, the board or a hearing committee.

## **3. Referral and review of complaints and incidents**

3.1 Complaints must be made to the Executive Director promptly and within the time guidelines set by policy of the board.

3.2 The Executive Director may extend the time for submission of a complaint notwithstanding the expiration of the time set by board guidelines.

3.3 The Executive Director shall refer the following matters to the chairperson of the investigation committee:

- 1) A complaint alleging that a player, team, coach, official, parent/guardian or spectator is guilty of misconduct.

- 2) On the request of the board, any incident in which misconduct may have occurred.
- 3) A complaint relating to team selection.
- 4) Any other request for resolution of a dispute arising from or relating to the activities of the organization.
- 3.4 The chairperson of the investigation committee may require that a complaint be stated in writing.
- 3.5 If the chairperson of the investigation committee is satisfied that the complaint is not valid or does not raise an issue of misconduct or is trivial, frivolous or vexatious in nature, the chairperson shall advise the complainant and thereafter shall take no further action in relation to that complaint.
- 3.6 Where the chairperson has not dismissed a complaint pursuant to 3.5, the chairperson shall appoint one or more members of the investigation committee as investigator of the complaint or incident.
- 3.7 The chairperson may appoint himself or herself as the investigator or as one of the investigators.

#### **4. Investigation**

- 4.1 The investigator shall:
  - 1) Review the complaint or the request
  - 2) Make such inquiries as necessary to determine the circumstances of the complaint or incident, which may include:
    - a) sending a copy of summary of the complaint to those named in the complaint, those making the complaint or to any witnesses with a request that they respond in writing to the allegations by a date set by the investigator;
    - b) communicating with or interviewing persons involved in the incident or whose conduct is the subject of the complaint; and
    - c) communicating with or interviewing other persons who may have relevant information.
  - 3) Extend the investigation to include misconduct in any other incident that comes to the attention of the investigator in the course of the investigation.
  - 4) When practical to do so, encourage the parties to resolve the dispute directly.
  - 5) With the agreement of the parties, arrange mediation of the dispute.
- 4.2 On completion of the investigation, the investigator shall make a written report to the Executive Director recommending:
  - 1) That the Executive Director appoint a hearing committee to hear and resolve the dispute or to hear the charges, as the case may be; or.
  - 2) That no further action be taken with respect to the matter investigated because:
    - a) the matter has been resolved between the parties,
    - b) no further action is warranted on the facts of the case.
- 4.3 The charge set out in a written report may relate to any matter disclosed during the investigation.
- 4.4 A report signed by a majority of the investigation committee is a decision of investigators

## **5. Interim suspension of member**

5.1 In cases of alleged serious misconduct or if there is a risk of physical or emotional harm to other persons, the investigator may submit written reasons to the Executive Director recommending that, pending the outcome of an investigation, a player, team, coach, official, parent/guardian or spectator under investigation:

- 1) be suspended from participation or
- 2) be allowed to continue participation subject to conditions or restrictions.

5.2 Upon receiving the written recommendations of the investigator, the Executive Director shall:

- 1) If satisfied that continued participation is inappropriate in the circumstances, may order suspension of involvement in organization activities or impose other less restrictive conditions pending the recommendations of the hearing committee.
- 2) If satisfied that continued participation is appropriate in the circumstances, decline the recommendation of the investigator.

5.3 An order of suspension or the imposition of conditions on a member, pending the recommendations of the hearing committee, shall:

- 1) terminate 30 days after the date of the suspension or imposition of conditions, unless renewed or revised by the Executive Director upon a further written recommendation by the investigator.
- 2) be superseded by the recommendations of the hearing committee

## **6. Acting upon the Investigator's report**

6.1 If the investigation committee recommends no further action on a complaint, the Executive Director shall provide a copy of the investigation committee's reasons for that recommendation to the person or person(s):

- 1) whose conduct is the subject of the complaint
- 2) who initiated the complaint

6.2 If the investigation committee is of the opinion that a hearing committee should be appointed, the Executive Director shall appoint a hearing committee.

6.3 The Executive Director shall report a decision not to appoint a hearing committee to the next meeting of the board.

## **7. Hearings**

7.1 The hearing committee shall conduct a fair hearing of the charge or dispute reported in the investigation committee's report.

7.2 At the request of the hearing committee, the Executive Director shall communicate the time and place of the hearing and any other pertinent information to the parties.

## **8. Hearing Procedure**

8.1 In disputes of a nature that the hearing committee considers to be minor, the hearing may be conducted in writing. The parties shall be:

- a) informed that a hearing committee has been established;
  - b) informed of the charge or dispute to be heard;
  - c) provided with a copy of the dispute resolution policy;
  - d) invited, within a time specified by the committee, to make written submissions of any information or arguments relevant to the deliberations of the committee;
  - e) informed of the findings of the hearing committee;
- 8.2 If the hearing committee does not consider the dispute to be minor, the parties shall have a right to be heard in person:
- 1) At least 3 days before the date of the hearing the parties shall be:
    - a) informed that a hearing committee has been established;
    - b) informed of the charge or dispute to be heard;
    - c) provided with a copy of the dispute resolution policy.
  - 2) The hearing committee shall hear the charge or dispute and shall determine whether or not the accused is guilty of misconduct or rule on the issues in dispute.
  - 3) Parties may be represented by legal counsel at their own expense.
  - 4) There is to be full right:
    - a) to examine, cross-examine and re-examine all witnesses
    - b) to present evidence in defence and reply.
  - 5) Where a party fails to attend the hearing, the hearing committee may proceed in his or her absence.
  - 6) If, during the course of a hearing, the evidence shows that the accused may be guilty of misconduct different from or in addition to any misconduct specified in the charge, the hearing committee shall adjourn the hearing for any period that the committee considers sufficient to give the accused an opportunity to prepare a defence to the amended charge, unless the respondent consents to continue the hearing.
  - 7) The hearing committee may accept any evidence that it considers appropriate and is not bound by rules of law concerning evidence.
  - 8) The hearing committee may accept a record of a criminal conviction or the written reasons for a decision imposing discipline by any other organization as evidence of the conduct giving rise to the conviction or discipline.
  - 9) On its own initiative or at the request of any party, the hearing committee may restrict the public from the hearing. The hearing committee shall exclude the public if the committee is of the opinion that an open hearing will unduly violate the privacy of any person.
  - 10) The deliberations of the hearing committee shall be conducted in private, and no person who is not a member of the committee shall be present.
- 8.3 The hearing committee shall give written reasons for its decisions and for any discipline imposed. Copies shall be provided to the parties and to the board.



## **9. Disciplinary Powers**

9.1 Where the hearing committee finds a person guilty of misconduct, it may make one or more of the following orders, in writing:

- 1) An order that the person(s) be expelled from the organization
- 2) An order that the person(s) be suspended from the organization for a specified period
- 3) An order that the person(s) be suspended pending the satisfaction and completion of any conditions specified in the order
- 4) An order that the respondent may continue to participate only under conditions specified in the order
- 5) An order reprimanding the respondent
- 6) Any other order that the hearing committee considers just.

9.2 In making an order the hearing committee shall take into consideration:

- 1) The age, experience and maturity of the person(s)
- 2) The nature of the misconduct;
- 3) Any information which, in the opinion of the committee is reliable and relevant to the determination of an appropriate order, including;
  - a) previous misconduct of the respondent, regardless of whether or not that misconduct was the subject of discipline
  - b) the character of the respondent

## **10. Deference to Other Authorities**

10.1 Where the Executive Director, chairperson of the investigation committee or the chairperson of the hearing committee believes that the person(s) whose conduct is being investigated may be guilty of a criminal offence, that person may refer the matter to an appropriate authority.

## **11. Time for Completion**

11.1 The investigation, hearing and decision of the hearing committee shall be completed as soon as practical in the circumstances of the complaint.

11.2 The board may set time guidelines for any matters that the board considers appropriate, including the time for complaints to be made to the Executive Director, and the time for completion of steps in the hearing process.

11.3 In deciding an appeal from a decision of the hearing committee, the board may consider the failure to comply with time guidelines.

## **12. Appeal to the Board**

12.1 A person(s) may appeal the decision or any order of the investigation committee or the hearing committee to the organization board by serving a written notice of appeal within 10 days of receipt of the decision or order where:

- 1) The member has been found guilty of misconduct by the hearing committee;
- 2) The person is subject to a discipline order;
- 3) The person(s) who initiated the complaint was advised that no further action would be taken.

- 12.2 The written notice shall state the grounds of appeal.
- 12.3 The Executive Director shall not participate in the hearing of an appeal.
- 12.4 No board member shall participate in the hearing of an appeal if:
  - 1) The board member has a conflict of interest or is biased
  - 2) If there is any reasonable basis on which it may appear that the board member may have a conflict of interest or may be biased.
- 12.5 The participation by a board member in any step of the investigation process prior to the hearing of the appeal shall be deemed to create the appearance of a bias.
- 12.6 The participation by a board member in any step of the investigation or hearing process prior to the hearing of the appeal shall be deemed to create the appearance of a bias.
- 12.7 If all board members are unable to participate in the hearing, the board shall appoint a committee of not more than three persons to hear the appeal.
- 12.8 On hearing an appeal the board or the appointed committee may:
  - 1) Dismiss the appeal
  - 2) Quash the finding of guilt
  - 3) Direct further inquiries by the investigation committee or appoint a new investigation committee to reinvestigate the matter
  - 4) Direct a new hearing or further inquiries by the hearing committee or appoint a new hearing committee to rehear the matter
  - 5) Vary the order of the hearing committee.

### **13. Effect of Expulsion or Suspension**

- 13.1 When a person(s) is expelled or suspended from the organization pursuant to the policy, that person(s) is not eligible to serve any function within the organization or attend any organization activities.

### **14. Reinstatement**

- 14.1 A person who has been expelled may apply to the board for reinstatement.
- 14.2 Subject to the bylaws, on receipt of an application of reinstatement the board shall review the application and, if in the opinion of the board the application disclosed information which may justify reinstatement, the board may investigate the application by taking any steps it considers necessary.
- 14.3 On completion of its review, the board may:
  - 1) Where it is satisfied that the person's subsequent conduct and any other facts warrant reinstatement, direct that the person be reinstated under any terms and conditions that the board considers appropriate.
  - 2) Refuse to reinstate the person.

**15. Conflict of Interest or Bias**

- 15.1 In the event that any member of either the investigation committee or the hearing committee, other than one nominated by the parties, has a conflict of interest or is biased, that person shall declare the conflict or bias and the Executive Director shall appoint a replacement.
- 15.2 In the event of a conflict of interest on the part of a board member, that member shall not participate in the decision of the board.

**16. Records and Use of Decisions**

- 16.1 The organization shall maintain a record of all decisions of hearing committees and of all decisions of the board on appeal.
- 16.2 The hearing committee and board may consider the decisions of previous hearing committees and boards, but are not bound by the precedent.
- 16.3 Decisions of a hearing committee and decisions of the board on appeal are matters of public interest and shall be publicly available without disclosing the names of the individuals involved. Names of persons disciplined may be disclosed to the extent necessary to give effect to any sanction imposed.
- 16.4 If the committee or board decides that making the decision publicly available will unduly violate the privacy of any person, the committee or board may direct that the decision or part of the decision should be kept confidential.
- 16.5 Decisions resulting in termination of membership or in a suspension of membership rights for one year or longer shall be reported to the Dispute Management Office of SK Sport Inc. who may provide information from the decisions to its membership, including the names of persons who have been the subject of the discipline.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.3

APPROVED: March 13, 1998  
REVISED: January 16, 2010

SBSA shall incorporate a Harassment Policy.

## POLICY STATEMENT

1. Saskatchewan Blind Sports Association (SBSA) is committed to providing a sport and work environment in which all individuals are treated with respect and dignity. Each individual has the right to participate and work in an environment which promotes equal opportunities and prohibits discriminatory practices.
  - Harassment is a form of discrimination. Harassment is prohibited by the Canadian Charter of Rights and Freedoms and by human rights legislation in every province and territory of Canada.
  - Harassment is offensive, degrading and threatening. In its most extreme forms, harassment can be an offence under Canada's Criminal Code.
  - Whether the harasser is a director, supervisor, employee, coach, official, volunteer, parent, or athlete, harassment is an attempt by one person to assert abusive, unwarranted power over another.
  - SBSA is committed to providing a sport environment free of harassment on the basis of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability, or pardoned conviction.
2. This policy applies to all employees as well as to all directors, officers, volunteers, coaches, athletes, officials, and members of SBSA. SBSA encourages the reporting of all incidents of harassment, regardless of who the offender may be.
3. This policy applies to harassment which may occur during the course of all SBSA business, activities, and events.  
It also applies to harassment between individuals associated with SBSA but outside SBSA business, activities, and events when such harassment adversely affects relationships within the SBSA work and sport environment.
4. Notwithstanding this policy, every person who experiences harassment continues to have the right to seek assistance from their provincial or territorial human rights commission, even when steps are being taken under this policy.
5. Sexual harassment most commonly occurs in the form of behaviour by males toward females; however, sexual harassment can also occur between males, between females, or as behaviour by females toward males.
6. For the purposes of this policy, retaliation against an individual
  - for having filed a complaint under this policy; or
  - for having participated in any procedure under this policy; or
  - for having been associated with a person who filed a complaint or participated in any procedure under this policy, will be treated as harassment, and will not be tolerated.

## RESPONSIBILITY

7. The SBSA Athletes Representative (director responsible for this policy) and Vice President are responsible for the implementation of this policy. In addition, the SBSA Athlete's Representative and Vice President are responsible for:
  - discouraging and preventing harassment with SBSA;
  - investigating formal complaints of harassment in a sensitive, responsible, and timely manner;
  - imposing appropriate disciplinary or corrective measures when a complaint of harassment has been substantiated, regardless of the position or authority of the offender;
  - providing advice to persons who experience harassment;
  - doing all in their power to support and assist any employee or member of SBSA who experiences harassment by someone who is not an employee or member of SBSA;
  - making all members and employees of SBSA aware of the problem of harassment, and in particular, sexual harassment, and of the procedures contained in this policy;
  - informing both complainants and respondents of the procedures contained in this policy and of their rights under the law;
  - regularly reviewing the terms of this policy to ensure that they adequately meet the organizations legal obligations and public policy objectives;
  - appointing unbiased case review panels and appeal bodies and providing the resources and support they need to fulfill their responsibilities under this policy.
8. SBSA shall ensure that officers receive appropriate training and support for carrying out their responsibilities under this policy.

## COMPLAINT PROCEDURE

9. A person who experiences harassment is encouraged to make it known to the harasser that the behaviour is unwelcome, offensive, and contrary to this policy.
10. If confronting the harasser is not possible, or if after confronting the harasser the harassment continues, the complainant should seek the advice of a harassment officer.
11. The harassment officer shall inform the complainant of:
  - the options for pursuing an informal resolution of his or her complaint;
  - the right to lay a formal written complaint under this policy when an informal resolution is inappropriate or not feasible;
  - the availability of counselling and other support provided by SBSA;
  - the confidentiality provisions of this policy;

- the right to be represented by a person of choice (including legal counsel) at any stage in the complaint process;
  - the right to withdraw from any further action in connection with the complaint at any stage (even though SBSA might continue to investigate the complaint; and
  - other avenues of recourse, including the right to file a complaint with a human rights commission or, where appropriate, to contact the police to have them lay a formal charge under the Criminal Code.
12. There are four possible outcomes to this initial meeting of complainant and officer.
- (a) The complainant and officer agree that the conduct does not constitute harassment.
    - If this occurs, the harassment officer will take no further action and will make no written record.
  - (b) The complainant brings evidence of harassment and chooses to pursue an informal resolution of the complaint
    - If this occurs, the harassment officer will assist the two parties to negotiate a solution acceptable to the complaint. If desired by the parties and if appropriate, the harassment officer may also seek the assistance of a neutral mediator.
    - If informal resolution yields a result which is acceptable to both parties, the harassment officer will make a written record that a complaint was made and was resolved informally to the satisfaction of both parties, and will take no further action.
    - If informal resolution fails to satisfy the complaint, the complainant will reserve the option of laying a formal written complaint.
  - (c) The complainant brings evidence of harassment and decides to lay a formal written complaint
    - If this occurs, the harassment officer will assist the complainant in drafting a formal written complaint, to be signed by the complainant, and a copy given to the respondent without delay. The written complaint should set out the details of the incident(s), the names of any witnesses to the incident(s), and should be dated and signed.
    - The respondent will be given an opportunity to provide a written response to the complaint. The harassment officer may assist the respondent in preparing this response.
  - (d) The complainant brings evidence of harassment but does not wish to lay a formal complaint.
    - If this occurs, the harassment officer must decide if the alleged harassment is serious enough to warrant laying a formal written complaint, even if it is against the wishes of the complainant.

- When the harassment officer decides that the evidence and surrounding circumstances require a formal written complaint, the harassment officer will issue a formal written complaint and without delay, provide copies of the complaint to both the complainant and the respondent.
13. As soon as possible after receiving the written complaint, but within 21 days, the harassment officer shall submit a report to the President of SBSA containing the documentation filed by both parties along with a recommendation that:
    - No further action be taken because the complaint is unfounded or the conduct cannot reasonably be said to fall within this policy's definition of harassment; or
    - The complaint should be investigated further. A copy of this report shall be provided without delay, to both the complainant and the respondent.
  14. In the event that the harassment officer's recommendation is to proceed with an investigation, the President of SBSA shall within 14 days appoint three members of SBSA to serve as a case review panel. This panel shall consist of at least one woman and at least one man. To ensure freedom from bias, no member of the panel shall have a significant personal or professional relationship with either the complainant or the respondent.
  15. Within 21 days of its appointment, the case review panel shall convene a hearing. The hearing shall be governed by such procedures as the panel may decide, provided that:
    - The complainant and respondent shall be given 14 days notice, in writing, of the day, time and place of the hearing.
    - Members of the panel shall select a chairperson from among themselves.
    - A quorum shall be all three panel members.
    - Decisions shall be by majority vote. If a majority vote decision is not possible, the decision of the chairperson will be the decision of the panel.
    - The hearing shall be held in camera.
    - Both parties shall be present at the hearing to give evidence and to answer questions of the other party and of the panel. If the complainant does not appear. the matter will be dismissed, (unless the complainant decided not to lay a formal complaint, but the officer concluded that the evidence and surrounding circumstances were such as to require a formal written complaint). If the respondent does not appear. the hearing will proceed.
    - The complainant and respondent may be accompanied by a representative or adviser.
    - The harassment officer may attend the hearing at the request of the panel.
  16. Within 14 days of the hearing, the case review panel shall present its findings in a report to the President of SBSA, which shall contain:
    - a summary of the relevant facts;
    - a determination as to whether the acts complained of constitute harassment as defined in this policy;



- recommended disciplinary action against the respondent, if the acts constitute harassment; and
  - recommended measures to remedy or mitigate the harm or loss suffered by the complainant, if the acts constitute harassment.
17. If the panel determines that the allegations of harassment are false, vexatious, retaliatory, Or unfounded, their report shall recommend disciplinary action against the complainant.
  18. A copy of the report of the case review panel shall be provided, without delay, to both the complainant and the respondent.
  19. When determining appropriate disciplinary action and corrective measures, the case review panel shall consider factors such as:
    - the nature of the harassment;
    - whether the harassment involved any physical contact;
    - whether the harassment was an isolated incident or part of an ongoing pattern;the nature of the relationship between complainant and harasser;
    - the age of the complainant;
    - whether the harasser had been involved in previous harassment incidents;
    - whether the harasser admitted responsibility and expressed a willingness to change; and
    - whether the harasser retaliated against the complainant.
  20. In recommending disciplinary sanctions, the panel may consider the following options, singly or in combination, depending on the severity of the harassment:
    - a verbal apology;
    - a written apology;
    - a letter of reprimand from the sport organization;
    - a fine or levy;
    - referral to counselling;
    - removal of certain privileges of membership or employment;
    - demotion or a pay cut;
    - temporary suspension with or without pay;
    - termination of employment or contract; or
    - expulsion from membership.
  21. Where the investigation does not result in a finding of harassment, a copy of the report of the case review panel shall be placed in the harassment officer's files. These files shall be kept confidential and access to them shall be restricted to the President of SBSA.

22. Where the investigation results in a finding of harassment, a copy of the report of the case review panel shall be placed in the personnel or membership file of the respondent. Unless the findings of the panel are overturned upon appeal, this report shall be retained for a period of ten years, unless new circumstances dictate that the report should be kept for a longer period of time.

### **PROCEDURE WHERE A PERSON BELIEVES THAT A COLLEAGUE HAS BEEN HARASSED**

23. Where a person believes that a colleague has experienced or is experiencing harassment and reports this belief to a harassment officer, the officer shall meet with the person who is said to have experienced harassment and shall then proceed in accordance with Section 22.

### **APPEALS**

24. Both the complainant and respondent shall have the right to appeal the decision and recommendations of the case review panel. A notice of intention to appeal, along with grounds for the appeal, must be provided to the chairperson of the case review panel within 14 days of the complainant or respondent receiving the panel 's report.
25. Permissible grounds for an appeal are:
  - the panel did not follow the procedures laid out in this policy;
  - members of the panel were influenced by bias; or
  - the panel reached a decision which was grossly unfair Or unreasonable.
26. In the event that a notice of appeal is filed, the President of SBSA shall appoint a minimum of three members to constitute the appeal body. This appeal body shall consist of at least one woman and at least one man. These individuals must have no Significant personal or professional involvement with either the complainant or respondent, and no prior involvement in the dispute between them.
27. The appeal body shall base its decision solely on a review of the documentation surrounding the complaint, including the complainant's and respondent's statements, the reports of the harassment officer and the case review panel, and the notice of appeal.
28. Within ten days of its appointment, the appeal body shall present its findings in a report to the President of SBSA. The appeal body shall have the authority to uphold the decision of the panel, to reverse the decision of the panel, and/or to modify any of the panel's recommendations for disciplinary action or remedial measures.

Page 7...

29. A copy of the appeal body's report Shall be provided, without delay, to the complainant and respondent.
30. The decision of the appeal body shall be final.

#### **REVIEW AND APPROVAL**

31. This policy was approved by SBSA board of directors on

---

32. This policy shall be reviewed by SBSA Board of Directors (responsible for this policy) and senior Staff member on an annual basis.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.4

APPROVED: September 12, 2009  
REVISED: January 16, 2010

SBSA shall incorporate a Screening Policy.

## **2.1 SBSA Screening Policy**

The following document was passed by SBSA Board of Directors on September 12, 2009

### **2.1.1 Commitment to the Duty of Care**

Saskatchewan Blind Sports Association (SBSA) owes a duty of care to its members, staff and volunteers. Acceptance of this duty will be reflected in all SBSA programs, services, and activities, as well as in its policies and procedures.

SBSA will take all reasonable steps to ensure that no harm comes to its members, staff and volunteers. SBSA will periodically review and update its risk management audit, will conform to applicable legislation, and will take the necessary steps to enhance the safety of its programs, and the conduct of its staff and volunteers.

During the initial implementation of the policy, it may not be possible to screen all existing individuals in positions of trust.

### **2.1.2 Staff/Volunteer Screening, General**

- 1) Proper staff/volunteer selection is critical to the success and safety of our programs and services.
- 2) Staff/volunteers in positions of trust shall be screened at the discretion of the Board. A position of trust is defined as one in which an individual is in direct contact with, or provides direct service to vulnerable members, which includes children under the age of 18 years.
- 3) All prospective/current staff members will be screened by SBSA, as well as all prospective coaches, managers, officials, and chaperones accompanying provincial teams to out of province national championships, according to the procedures current when they apply and appropriate to the position they are seeking. The Board reserves the right to screen any volunteer in a position of trust, noted to be of concern to the membership.
- 4) The Board reserves the right to change these procedures from time to time. The Board will approve the basic outline of screening measures before they are put into effect.
- 5) Screening policies and procedures, including reasons for which an applicant will not be accepted by SBSA, will be appropriately outlined further on within this document. These policies and procedures will be made known to all candidates for positions.
- 6) For certain positions in SBSA, a current (police records check, driver's record...) may be required as one element of the screening process at the discretion of the Board.
- 7) The list of positions governed by this policy may change from time, but will include all those positions in which staff, volunteers, or Board members are in direct contact with, or provide direct service to, vulnerable members, in particular, when this contact is unsupervised or takes place off-site.

- 8) The Screening Officer shall implement the screening measures as outlined further ~~on within this document. He/she~~ shall report to the Board within two weeks of completing the screening measures on the designated individual or individuals.
- 9) To be acceptable, the report from the Screening Officer must be dated on earlier than two-weeks/one month prior to the date it is submitted by the applicant.
- 10) If there is a delay in the receipt of the Screening Officer's report, and if for some reason the applicant must start his/her position before it is received, this individual's acceptance or hiring is conditional on the receipt of the report, and subject to current policies regarding acceptance and exclusion of staff and volunteers.
- 11) Every staff and volunteer is obliged to inform the Screening Officer if he or she is charged, tried or convicted of any offence under the Criminal Code or under other provincial or federal statutes, if that offence is relevant to the position held by the individual.

---

### 2.1.3 Confidentiality and Record-Keeping

These policies apply to guarding the confidentiality of personal and confidential information gathered during the screening process.

- 1) Receiving the information:  
Only the Screening Officer may see personal information, including police checks reports, unless another staff or volunteer needs this information in order to perform his/her duties, or at the request of the Board.
- 2) Sharing the information:  
Confidential information is shared with others only if it is necessary to the performance of their essential duties, for example, SBSA Clubs. The names of those receiving the information will be recorded in the file. Otherwise, confidential information will only be released with the consent of the individual in question.
- 3) Using the information:  
Information received through the screening process will only be used in the process of determining if an applicant is suitable for a specific position.
- 4) Destroying the information:  
Confidential information will be destroyed according to a schedule to be developed by SBSA. All relevant personal information should be maintained for a minimum of 5 years after the departure of a staff/volunteer person.
- 5) Keeping information on file:  
SBSA will seek to keep a minimum of confidential personal information about staff/volunteers. All pertinent screening information will be kept in an appropriately accessible form and place.
- 6) The individual staff/volunteer files will include only that personal information which is essential to the operation of SBSA. SBSA will ensure that as little confidential information is maintained in files as possible, and will take all reasonable precautions to protect confidentiality of that information.

#### **2.1.4 Standard of Care: Positions of Trust, Abuse, and Breach of Trust**

- 1) SBSA accepts its significant responsibilities with respect to its vulnerable members. We accept that, given our vulnerable membership, the standard of care expected from us will be higher than it would be if our members were able-bodied adults of sound mind.
- 2) SBSA engages individuals in a variety of roles with respect to children. ~~Some of these are positions of significant trust.~~ People applying for and undertaking positions of trust will be subject to more intensive initial and ongoing screening and supervision than individuals in placements, which are not positions of trust.
- 3) The members of SBSA will be treated with respect. SBSA will strive to provide services and programs in an environment free of danger, harassment and abuse, and to protect members, staff and volunteers from these hazards by taking reasonable measures to ensure the safety of programs, by taking appropriate measures in relation to uninvited third parties, and by carefully screening staff and volunteers.
- 4) SBSA recognizes that abuse and harm can take many forms, including but not limited to the following, and affirms that they will not be tolerated.
- 5) Bodily harm or physical assault or injury
- 6) Emotional or psychological deprivation or harm
- 7) Unwelcome or inappropriate attention, advances, touching, or solicitation; threats of reprisal for rejecting sexual advances
- 8) Intimidation, unwelcome, negative or taunting comments about individuals
- 9) Acts of omission, including failure to fulfill our responsibilities
- 10) SBSA will act quickly to investigate and resolve any complaints of harassment or abuse of any kind, with a view to stopping any wrongdoing, caring for the individuals who have been harmed, taking appropriate action with respect to the wrongdoer, and preventing future occurrences.
- 11) SBSA will act decisively to ensure that all members, prospective and current staff/volunteers are aware of these policies and procedures and practices that will follow from them.

#### **2.1.5 Acceptance or Rejection of Applicants**

- 1) Acceptance or rejection of an application for a position with SBSA will be based on the demands and requirements of the position. These requirements may include specific skills and competencies and may also include traits of character and temperament.
- 2) SBSA understands its obligation to obey current legislation, which prohibits ~~defamation of character or invasion of privacy.~~ SBSA as a matter of principle will not practice discrimination against an individual for purposes of employment by reason of one of the prohibited grounds of discrimination.
- 3) SBSA will not discriminate against any person on the basis of these grounds... (Age, race, sex, marital status, etc.) Unless there is a bona fide reason related essentially and explicitly to the position being applied for, and will do so with due consideration for the need to accommodate applicants where possible.

- 4) Individuals with outstanding Criminal Code convictions, or charges pending for certain offences will not be accepted for a position of trust with vulnerable members under the age of 18 years where the offences are related to a bona fide occupation requirement or qualification. These offences include, but are not limited to, the following:
  - i. physical or sexual assault
  - ii. current prohibitions or probation orders forbidding the individual to have contact with children under the age of 14
  - iii. indictable criminal offences for child abuse
  - iv. outstanding convictions or charges pending for any violent offence, whether or not it involved weapons
  - v. outstanding convictions or charges pending for criminal driving offences, included but not limited to, impaired driving
  - vi. attached list of Criminal Code convictions
  - vii. Individuals with outstanding convictions, for provincial offences related to a bona fide occupational requirement or qualification may be excluded from a position of trust, depending on the circumstances.
  - viii. Applicants may be rejected as a result of other information gained during the police records check process or through the screening process as a whole, or as a consequence of other factors. The applicant has the right to know why he or she is being refused, and may appeal to the Board in writing.

#### **2.1.6 Discipline and Dismissal**

- 1) All applicants will be asked to read these policies, and, during the course of final interviews, will be asked by the appropriate interviewer if any of these exclusions apply to them. Responses will be kept in the applicant's file. If SBSA learns and it is confirmed as a fact that an applicant lied with respect to an issue, which is germane to the position that he or she has assumed, the applicant will be disciplined or dismissed immediately.
- 2) Staff/volunteers who do not adhere to the rules and procedures of SBSA or who fail to satisfactorily perform their assignments is subject to dismissal.
- 3) Dismissal of staff/volunteers will be a last resort, applied only when other available and appropriate approaches have been attempted and failed.
- 4) Dismissal, wherever possible, will take place only after consultation among the Screening/ Officer, the Board and the staff/volunteer him/herself.
- 5) Dismissal of staff/volunteers will normally follow the agency's progressive discipline process that:
  - i. is based on performance standards established for each position, and the results of the performance reviews of all staff/ volunteers
  - ii. includes a sequence of verbal and written warnings
  - iii. can involve progressive disciplinary action
  - iv. can, ultimately, result in the termination of the staff/volunteer's placement with SBSA



Staff/Volunteers have the right to expect:

- 1) supportive and constructive criticism
- 2) clear details regarding inappropriate or unsatisfactory performance/behaviour
- 3) suggestions regarding what and how to improve; time and opportunity to demonstrate improvement after each stage
- 4) written record of unsatisfactory performance Staff/Volunteers may be discharged without warning for just cause... Grounds for immediate dismissal may include, but are not limited to:
  - i. gross misconduct or insubordination
  - ii. being under the influence of alcohol or drugs while performing volunteer assignments
  - iii. theft of property or misuse of agency funds, equipment or materials
  - iv. lies or falsification of records
  - v. illegal, violent or unsafe acts
  - vi. abuse or mistreatment of members or other volunteers
  - vii. failure to abide by SBSA policy or procedure
  - viii. failure to meet physical or mental standards of performance
  - ix. unwillingness or inability to support and further the mission of SBSA and/or the objectives of the program.

Staff/volunteers accused of the following improprieties will be placed on immediate suspension, pending the outcome of an investigation to be conducted by the Board:

- 1) breach of confidentiality
- 2) physical, emotional, or sexual abuse of members, volunteers or other staff
- 3) theft
- 4) libel, slander of members, staff, volunteers, board members
- 5) lies about a previous record of relevant civil or criminal convictions, or about current, relevant charges pending
- 6) misrepresentation of credentials, qualifications, references
- 7) refusal to submit to screening procedures, initial or ongoing, including police records checks, orientation, training, supervision and evaluation sessions, medical checks, etc.
- 8) Staff/volunteers caught in the act of any of these improprieties will be suspended immediately pending a full investigation. If it is proven to the satisfaction of the Board that an individual has committed any of these improprieties, he/she will be disciplined or dismissed.

### **2.1.7 Authority for Decision-Making**

- 1) SBSA will strive to develop clear and objective policies and principles with respect to screening. However, the Board accepts that screening is a matter of good management and the exercise of good judgment. The Board authorizes the Screening Officer to exercise his or her judgment with respect to these matters, based on the values and principles of SBSA and established policies. The Board will Endeavour to support the decisions of the Screening Officer made on these bases.
- 2) The Board recognizes that making personnel/volunteer decisions is the responsibility of the Screening Officer, but will expect a report from him/her of any incident or occurrence related to screening which may cause an individual to appeal to the Board, or which the Screening Officer may present a difficulty for SBSA.

## **2.2 Screening Measures**

The following staff/volunteer positions have been designated for screening by the Saskatchewan Blind Sports Association (SBSA). Corresponding screening measures for each position have been indicated. The SBSA Board reserves the right to request a police records check on any individual at its discretion. The cost of the police records check shall be incurred by the individual.

**SBSA Screening Officer:** The SBSA Screening Officer shall be designated by the Board, and must not have/had a personal/professional relationship with the individual (s) he/she is screening.

- 1) Coach/Manager/Official/Chaperones: (out of province provincial teams to the national championships)
  - i. An application form must be filled out by the applicant.
  - ii. An interview of the applicant shall be conducted.
  - iii. Personal reference checks of the applicant shall be conducted.
  - iv. Police records check of the applicants may be conducted at the discretion.
  - v. Applicant shall be notified of the selection decision.
- 2) Individuals of Concern:

Those individuals, in positions or prospective positions of trust, such as coaches and officials, noted to be of concern to the membership should be screened accordingly:

  - i. An application form must be filled out by the individual in question.
  - ii. An interview of the individual shall be conducted.
  - iii. Personal reference checks of the individual shall be conducted.
  - iv. Police records check of the individual shall be conducted.
  - v. Individual shall be notified of the decision.

Page 7...

- 3) Board/Club Volunteer:
  - i. An application form must be filled out by the applicant.
  - ii. Applicant shall be notified of the selection decision.
- 4) SBSA Staff:
  - i. An application form must be filled out by the applicant.
  - ii. An interview of the applicant shall be conducted.
  - iii. Personal reference checks of the applicant shall be conducted.
  - iv. Police records check of the individual shall be conducted.
  - v. Individual shall be notified of the decision.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.5

APPROVED: May 26, 2006  
REVISED: January 16, 2010

SBSA shall incorporate a Sport Policy.

# SASKATCHEWAN BLIND SPORTS ASSOCIATION

## SPORT ANALYSIS

Approved May 2006

### CURRENT SPORTS FUNDED BY SBSA

1. Bowling
2. Curling
3. Golf
4. Goalball
5. Lawnbowls
6. Powerlifting

### SPORTS FOR BLIND ATHLETES COMPETITIVE LEVEL

<u>SBSA(local/prov)</u>	<u>Western</u>	<u>CBSA</u>	<u>IBSA</u>	<u>IPC</u>	<u>AFFILIATE</u>
	(Regionals)	(Nationals)	(Worlds)	(Paralympics)	(NSO's)
1. Bowling		XX*			CCB*
2. Curling	XX	XX*			CCB*
3. Golf	XX		XX*		Independent*
4. Goalball		XX	XX	XX	
5. Lawnbowls	XX			XX	
6. Powerlifting	XX		XX*		CPU*

### NON-SBSA SPORTS FOR BLIND COMPETITIVE LEVEL

- |              |  |     |    |    |              |
|--------------|--|-----|----|----|--------------|
| 1. Athletics |  | XX* | XX | XX | AthleticsCa* |
|--------------|--|-----|----|----|--------------|

Note: "Athletics" can be supported by SBSA when athletes participate, a request for budget is submitted and approved by the Board of Directors.

- |             |  |     |    |    |             |
|-------------|--|-----|----|----|-------------|
| 2. Swimming |  | XX* | XX | XX | SwimCanada* |
|-------------|--|-----|----|----|-------------|

## **FUNDING CRITERIA**

### 1. Local/Provincial: Eligible for SBSA funding as approved in budget

- Paid Membership, Level 1 of Participation Fees
- Regular Seasonal Attendance and Participation
- Measured Performance Scales as determined by each sport co-ordinator
- Recreational component as determined by each sport co-ordinator
- Local/Provincial Competitions as available and delivered per each sport

### 2. Regional/National: Eligible for SBSA funding as approved in budget

- Paid Membership, Level 2 of Participation Fees
- Regular Seasonal Participation and Training
- Measured Performance Scales as per specific sport
- Competition, trials and determined selection criteria per sport co-ordinator
- Full funding for CBSA Sanctioned National Championships
- Entry fee funding for Non-CBSA Sanctioned Championships

### 3. Worlds/International: Eligible for SBSA funding as approved in budget

- Paid Membership, Level 3 of Participation Fees
- Regular Seasonal Participation, Training and Competition
- Measured Performance Scales as per specific sport
- Selected by competition performance/ National team process
- Funding as approved by SBSA budget , and met criteria

Approved May 2006 (with revisions)

SBSA Board of Directors

Developed by Launel Scott Sport Technical Director

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.6

APPROVED: January 16, 2010  
REVISED: September 21, 2014

The Policy and Procedures Manual shall be reviewed on an annual basis. After new and revised policies are approved, the Board of Directors, Executive Director, Sport Co-ordinators and their Assistants shall receive an e-mail copy.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.7

APPROVED: May 27, 2011  
REVISED: May 27, 2011

SBSA shall incorporate a Prohibited Conduct in Sport Policy.



## **Canadian Policy on Prohibited Conduct in Sport**

### **Introduction**

The Canadian Policy on Prohibited Conduct in Sport (the Policy) is grounded in a fundamental commitment to protect the development, safety and wellbeing of athletes and participants involved in Canadian sport and to provide a procedurally fair mechanism to discipline those who engage in prohibited conduct. The rationale for the Policy is to protect athletes and sport participants from misconduct by those individuals in positions of authority over them. The Policy is not designed to address the potential misconduct of athletes and sport participants as such conduct is regularly controlled pursuant to existing rules and policies.

### **Preamble**

Sport is fun when sport is safe. Sport builds strong individuals. Sport contributes significantly to its participants' physical, social and character development. Sport is an important part of Canadian culture. Integrity, trust, fair play, respect for others and sportsmanship are respected values that can be learned through sport. Persons who engage in prohibited conduct cause harm to athletes and sport participants by acting contrary to these values.

The Policy applies to coaches, officials, volunteers and administrators. Individuals who fulfill these roles and assume positions of authority in sport must take responsibility to ensure the safety and wellbeing of athletes and sport participants, especially young people.

The Policy provides the basis for the Code for Prohibited Conduct in Sport (the Code). The Code consists of expressly prohibited conduct and demands a procedurally fair adjudication process for the organizations and their affiliated members who are responsible for administering it, and for their respective members and participants who are bound by it.

As a condition of eligibility for federal funding sport organizations are required to have in place procedurally fair Codes of Conduct to protect the rights of their members and sport participants.

### **Prohibited Conduct**

The Code defines a 'floor', below which conduct must never fall. Prohibited conduct is conduct that will not be tolerated by coaches, officials, volunteers and administrators involved in positions of authority in Canadian sport. The prohibited conduct set out in the Code is not intended to describe all undesirable or unacceptable conduct. Rather, it serves to define only the most serious misconduct which is fundamentally incompatible with continued participation in Canadian sport, in any role, in any sport, at any level. Engaging in prohibited conduct will result in significant sanctions being imposed, that may include suspensions and expulsion from membership in the sport organization.

Once adopted by an organization the Code will, in the event of a conflict or inconsistency with any other internal policy, rule or code of the organization relating to discipline or conduct, be the governing document and shall have priority according to its terms. However, other internal

policies, rules or codes of the organization may operate concurrently with the Code to the extent they are fully consistent with it.

## **Purpose**

The purposes of the Policy are:

- To clearly prohibit certain misconduct in the Code.
- To ensure within Canada a harmonized, coordinated and effective response to allegations of this most serious misconduct.
- To respect the rights of individuals, through appropriate fair procedures, to determine if a breach of the Code occurred and, if so, what sanction may be appropriate for an individual who engages in prohibited conduct.
- To make any sanction imposed by an organization against an individual pursuant to the Code effective across Canada, in all sports, at all levels and in any role or capacity.

## **Roles and Responsibilities**

### **Individuals**

All coaches, officials, volunteers and administrators involved in Canadian sport to whom the Policy applies, and over whom the Code has jurisdiction, shall support, apply and meet the requirements of the Policy and the Code.

### **Sport Organizations**

Sport organizations have agreed to adopt the Policy and the Code. As such, they shall support, apply and meet the requirements of the Policy and shall implement, with their affiliated members, the provisions of the Code. Adopting organizations and their affiliated members shall respect all sanctions imposed by an adopting organization pursuant to the Code. In addition, they shall respect the designated Review Authority of the Canadian Centre for Ethics in Sport with regard to the Code and its implementation by all those organizations and their affiliated members adopting it.

The Code provides substantive content that can be easily incorporated into or used with an existing Code of Conduct. The Code expresses the minimum standard of conduct that should be prohibited by sport organizations and demands a procedurally fair adjudication process. The Code will mesh with all existing Codes of Conduct and is an additional “tool” to assist sport organizations to deal with the most serious of misconduct.

### **Canadian Centre for Ethics in Sport**

The Canadian Centre for Ethics in Sport (CCES) shall be the Review Authority with the responsibility to monitor the implementation of the Code by those organizations and their affiliated members adopting it. The CCES shall, in the role of Review Authority,:

- Maintain a Registry of all sanctions imposed by an adopting organization pursuant to the Code.
- Review on a periodic basis the Policy and the Code and suggest amendments from time to time for the consideration of the Canadian sport community and those organizations adopting it.
- Monitor the general application of the Code and the extent to which there is effective reciprocal recognition by organizations adopting it of all sanctions that are imposed pursuant to it.

## **Application**

### **Application of the Canadian Policy on Prohibited Conduct in Sport to Organizations**

The application of the Policy and the Code to individuals is based on the contractual relationship which exists between organizations and their members and participants through those individuals' agreement to participate in sport according to the internal rules and policies of that organization. Organizations committed to protecting the safety and well being of athletes and sport participants will adopt the Policy and the Code as part of their governing documents. As such, they become policies of the adopting organization and a means of describing the responsibilities and obligations binding on the members of, and the participants in the activities of, these adopting organizations and their affiliated members.

### **Application of the Canadian Policy on Prohibited Conduct in Sport to Individuals**

The Policy and the Code applies to coaches, officials, volunteers and administrators if they have engaged in that role and when in that role are, or were,:

- individuals who are/were members of organizations adopting the Policy and the Code, or,
- individuals who are/were members of such bodies' affiliated members, clubs, teams, associations and leagues, or
- individuals who participated, in any capacity in any business, event or activity organized, held, convened, or sanctioned by such bodies, regardless of when they participated or where they reside or are situated.

For the purpose of the Code the foregoing persons are ***Individuals***.

This Policy and the Code do not apply to athletes or those who are actively participating in the sporting or recreation activity, when engaged in that role. For greater certainty, ***Individuals*** are

not athletes or those who are actively participating in the sporting or recreation activity, when engaged in that role.

All adopting organizations and *Individuals* delegate to the CCES the responsibility and authority of the Review Authority.

### **Coming into Force and Revision**

#### *Coming into Force*

The Policy and the Code will be finalized and ready for adoption by sport organizations on April 1, 2009. The Policy and the Code become effective once adopted.

#### *Revision*

In keeping with the Canadian Sport Policy, governments and any other sport organizations may suggest revisions to the Policy and the Code in consultation with Coaches of Canada, the CCES, and the Canadian sport community.

### **Language**

The English and French versions of the Policy and the Code are equally authoritative.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.8

APPROVED: May 27, 2011  
REVISED: May 27, 2011

SBSA shall incorporate a Code for Prohibited Conduct in Sport.

## CODE FOR PROHIBITED CONDUCT IN SPORT

### ***Preamble***

This Code for Prohibited Conduct in Sport (the Code) prohibits conduct that is not consistent with the Canadian Policy on Prohibited Conduct in Sport (the Policy). The Code prohibits conduct by individuals in positions of authority that causes physical or emotional harm to athletes and sport participants. The Code prohibits conduct that is fundamentally incompatible with the values of integrity, trust, fair play, respect for others and sportsmanship. The underlying goal of the Code is to prevent prohibited conduct from occurring. The rationale for the Code, and the reason for its limited scope, is to protect athletes and sport participants from misconduct engaged in by individuals in positions of authority over them. The Code is not designed to address the potential misconduct of athletes and sport participants as such conduct is regularly controlled pursuant to existing rules and policies.

Describing the prohibited conduct in the Code will make it clear to those involved in Canadian sport that certain conduct by individuals in positions of authority will absolutely not be tolerated or condoned. Engaging in prohibited conduct will result in significant sanctions being imposed, that may include suspensions and possible expulsion from membership.

The Code contains a list of prohibited conduct and the principles of a procedurally fair adjudication process.

### ***Application***

Organizations adopt the Code to have it form part of their governing documents. As such, it becomes a policy of the adopting organization and, as a rule of that sport, a means of describing the responsibilities and obligations binding on the members of, and the participants in the activities of, these adopting organizations and their affiliated members.

The Code applies to an adopting organization's coaches, officials, volunteers and administrators who are defined as ***Individuals*** in the Policy. These individuals are typically in positions of authority over athletes and sport participants. The Code does not apply to athletes or those who are actively participating in the sporting or recreation activity, when engaged in that role. Other rules and policies regularly constrain that behavior.

The Code may apply to discipline an ***Individual*** for his or her conduct if that ***Individual*** acted in the role of coach, official, volunteer or administrator and was during that time properly inside the jurisdiction of the Policy and the Code.

The fact a person is not acting in the role of a coach, official, volunteer or administrator when a complaint regarding his or her previous conduct is brought forward is not a bar to proceeding pursuant to the Code.

The Hearing Panel may consider such past conduct and may impose a sanction based on that past conduct. The Hearing Panel may also authorize proceeding in the absence of an **Individual**, regardless of when the conduct complained of occurred, if the Policy and the Code apply to that **Individual** when the relevant conduct occurred.

Notwithstanding the foregoing, with the exception of Section 6 which deals with criminal convictions, complaints may not be brought against an **Individual** if more than eight years have passed after the conduct complained of occurred.

With the exception of Section 6, the Code will not be applied retroactively. The Code is effective from the date of its adoption by the sport organization.

*[Comment: It is intended that a person not be able to avoid a discipline proceeding pursuant to the Code based on a complaint relating to his or her past conduct by ceasing his or her sport involvement in that role - for the time being. The Policy is clear in the definition of an **Individual** that past conduct by that person will be caught in the jurisdiction of the Policy and the Code. For example, an **Individual** can be disciplined today if he or she was an official and was a member of a sport organization or its affiliated member and allegedly acted improperly when in that role and during that earlier time if the Policy and the Code applied during that earlier time. It is not relevant that the person plays no role (or a different role) in sport when the complaint was filed.*

*The eight year limitation period on proceedings being commenced was inserted to allow for a measure of certainty and finality after a reasonable period of time had passed after the conduct in question. This also avoids the obvious problems of conducting a hearing and tendering evidence when witnesses have forgotten details of what transpired and other evidence is lost or becomes unavailable. Criminal convictions for the listed offenses obtained more than 8 years prior to the complaint being filed may still be relied on.]*

Organizations may adopt, as they desire, additional discipline measures and/or additional Codes of Conduct to form part of their governing documents, and to be concurrently binding on their members, provided these documents are not inconsistent with the prohibited conduct and the principles of adjudication contained in the Code.

*[Comment: Sport organizations who adopt the Policy and the Code are encouraged to create, in addition, Codes of Conduct that are specific to their organization and specific to their unique membership structure and sport. Such sport specific Codes of Conduct should be consistent with and complementary to the Code, and may operate concurrently with the Code, but may describe a variety of much less serious misconduct and behaviors sought to be controlled. If desired, stricter prohibited conduct can be included. Under no circumstances shall the Code's prohibited conduct be permitted by a sport organization.*

*The concurrent operation of sport specific Codes of Conduct with the Code is completely consistent with the Code being a minimum standard only. The Code is a foundation to be built on - as each sport organization desires. The Code and the sport specific Codes of Conduct created*

*by each organization should, working in combination, prohibit all the conduct the organization deems unacceptable for its members and participants.]*

### **Prohibited Conduct**

The following conduct is expressly prohibited by an **Individual**:

1. The **Individual** shall not have sexual relations, or sexual intimacy of any description, with any other **Individual**, with any athlete the **Individual** is coaching or with any other sport participant the **Individual** has access to in the sport environment if the other **Individual**, the athlete being coached or the sport participant is 18 years of age or older and if there exists a significant imbalance of power with respect to the relationship between the other **Individual**, the athlete being coached or the sport participant and the **Individual** which could reasonably jeopardize effective decision making regarding the existence or the nature of the sexual relations or sexual intimacy with the **Individual**.

*[Comment: The actual relationship between the parties, their respective roles, the nature and duration of the sexual relations, the age of the **Individual**, the ages of the other **Individual**, the athlete being coached or the sport participant are all relevant factors to consider in assessing the existence and the extent of the imbalance of power and the degree to which any imbalance of power may jeopardize effective decision making regarding the existence or the nature of the sexual relations or the sexual intimacy with the **Individual**. It is assumed that there is no imbalance of power in the relationship between two spouses.]*

2. The **Individual** shall not have sexual relations, or sexual intimacy of any description, with any athlete the **Individual** is coaching, with any other sport participant the **Individual** has access to in the sport environment or with any other **Individual** if the athlete being coached, the other sport participant or the other **Individual** are under the age of 18. With respect to the **Individuals'** relationship with the other sport participant and the other **Individual**, they must each be subject, directly or indirectly, to the authority of the **Individual** for this section to apply.

*[Comment: It is accepted that in every situation where an athlete is under the age of 18 the unique coach/athlete relationship has the requisite authority present on the part of the coach. Once the athlete/coach relationship is established the authority on the part of the coach over the athlete shall be assumed. However, in situations where the **Individual** has sexual relations with a sport participant or sexual relations with any other **Individual** under the age of 18 this section will only apply where the **Individual** has direct or indirect authority over the sport participant or other **Individual**. In each relationship, other than the relationship between a coach and an athlete, if the **Individual**, regardless of his or her age, is not in a position of direct or indirect authority over the person under 18, the section shall not apply.]*

3. The **Individual** shall refrain from all types of sexual misconduct in the sport environment. Age is not relevant to allegations of sexual misconduct. For the purposes of the Code, sexual misconduct shall include either or both of the following:



- a. the use of power or authority in an attempt, successful or not, to coerce another person to engage in or tolerate sexual activity. Such abuses of power and authority include, but are not limited to, explicit or implicit threats of reprisals for non-compliance or promises of reward for compliance;
  - b. engaging in deliberate or repeated unsolicited sexually oriented comments, anecdotes, gestures or touching, that:
    - i. are offensive and unwelcome, or
    - ii. create an offensive, hostile or intimidating environment, or
    - iii. can reasonably be expected to be harmful to participants in the sport environment.
4. The **Individual** shall not use or possess illegal drugs or substances, as defined by the Criminal Code of Canada, while participating in the sport environment anywhere in the world.
  5. When driving a vehicle anywhere in the world with an athlete or other sport participant inside, the **Individual** shall not: (i) consume alcohol; or (ii) have his or her license temporarily or permanently suspended due to an elevated blood alcohol level; or (iii) be under the influence of illegal drugs or substances, as defined by the Criminal Code of Canada.
  6. The following Criminal Code of Canada convictions are fundamentally inconsistent with the **Individuals'** continued involvement with athletes and sport participants. Proof of the **Individuals'** conviction for any of the following Criminal Code of Canada offences, whenever obtained, shall be a breach of this Code:
    - a. Any offences involving child pornography
    - b. Any sexual offences involving a minor
    - c. Any offence of assault involving a minor
    - d. Any offence of physical or psychological violence involving a minor

*[Comment: These provisions are the only prohibited conduct in the Code having retroactive effect. The list of criminal offences in this section was intentionally kept very narrow and focused. A conviction for one or more of these listed offenses is fundamentally incompatible with an **Individual's** involvement interacting with youth and sport participants. These four classes of offenses are not intended to send a message that other serious offences (i.e., murder, assault, armed robbery) are deemed acceptable by their omission. The four offenses listed are very serious and relate directly to the safety of sport participants and are included in the Code because they are a reasonable and a justifiable infringement on applicable Human Rights legislation in Canada protecting a person against discrimination based on that person's 'record of conviction'.*

*The discriminatory effect of this section in the Code is a warranted and justified response to conduct directly effecting safety. Where there is a complaint and reliable and persuasive evidence of a conviction for one or more of the offences listed in section 6 (and this evidence may in some cases be difficult or impossible to obtain due to the prior granting of a pardon) a breach of the Code shall have occurred, but the Hearing Panel*

*shall have the discretion, after the required hearing, to impose the appropriate sanction on a case by case basis.]*

7. The **Individual** shall not engage in deliberate cheating which is intended to manipulate the outcome of a competition.
8. The **Individual** shall not offer or receive any bribe and shall not offer or receive any similar benefit which is intended to manipulate the outcome of a competition.
9. The **Individual** shall not attempt to cover up or conceal any conduct of an *Individual* that is, or may be, in breach of this Code.

### ***Code for Prohibited Conduct in Sport Adjudication Process***

#### ***Applicable Principles***

In every case where the Code applies and a hearing is warranted pursuant to the Code, an adjudication process shall be conducted by the organization which respects the principles of Natural Justice and procedural fairness. Such an adjudication process shall conform to the principles set out hereafter.

- (i) The **Individual** complained of is fully informed of all allegations and evidence brought against him or her and there is full disclosure.
- (ii) The **Individual** complained of is given a reasonable opportunity to respond to the allegations brought forward.
- (iii) The **Individual** complained of may be represented by legal counsel at that **Individual's** expense.
- (iv) The Panel member(s) who decide the complaint shall be independent and unbiased and shall render a written and reasoned decision. The Panel shall have at least one member with legal training or arbitration experience or be advised by an individual with these skills.
- (v) There shall be the right to appeal the Panel's decision in accordance with the organization's appeal policy.

*[Comment: It is not intended that all organizations will use precisely the same dispute resolution process and procedures to resolve complaints pursuant to the Code. This is acceptable. However, it is imperative that the principles of Natural Justice are respected in every hearing.]*

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.9

APPROVED: October 1, 2011  
REVISED: March 24, 2016

SBSA shall incorporate a Conflict of Interest Policy.

# Saskatchewan Blind Sports Association

## Conflict of Interest Policy

### Definitions

1. The following terms have these meanings in this Policy:
  - a) “*Association*” – Saskatchewan Blind Sports Association
  - b) “*Conflict of Interest*” – Any situation in which an Individual’s decision-making, which should always be in the best interests of the Association, is influenced or could be influenced by personal, family, financial, business, or other private interests.
  - c) “*Individuals*” – All categories of membership defined in the Association’s Bylaws, as well as all individuals engaged in activities with the Association including, but not limited to, athletes, coaches, referees, officials, volunteers, managers, administrators, committee members, and directors and officers of the Association
  - d) “*In writing*”- A letter, fax or email sent directly to the Association.
  - e) “*Pecuniary Interest*” - An interest that an individual may have in a matter because of the reasonable likelihood or expectation of financial gain or loss for that individual, or another person with whom that individual is associated.
  - f) “*Non-Pecuniary Interest*” - An interest that an individual may have in a matter which may involve family relationships, friendships, volunteer positions or other interests that do not involve the potential for financial gain or loss.

### Background

2. 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 Association. 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 Association. Directors, and other stakeholders, must not put themselves in positions where making a decision on behalf of the Association is connected to their own “pecuniary” or “non-pecuniary” interests. That would be a conflict of interest situation.

### Purpose

3. The Association strives to reduce and eliminate nearly all instances of conflict of interest at the Association – 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.
4. This Policy applies to all Individuals.

### Obligations

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

6. 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 the Association, unless such business, transaction, or other interest is properly disclosed to the Association and approved by the Association.
  - 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.
  - 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 the Association, 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 the Association, or in which they have an advantage or appear to have an advantage on the basis of their association with the Association.
  - f) Without the permission of the Association, use the Association's property, equipment, supplies, or services for activities not associated with the performance of their official duties with the Association.
  - g) Place themselves in positions where they could, by virtue of being an Association Individual, 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 being an Association Individual.

### **Disclosure of Conflict of Interest**

7. On an annual basis, all the Association's Directors, Officers, Employees, and Committee Members will complete a **Declaration Form** disclosing any real or perceived conflicts that they might have. Declaration Forms shall be retained by the Association.
8. Individuals shall disclose real or perceived conflicts of interest to the Association's Board immediately upon becoming aware that a conflict of interest may exist.
9. Individuals shall also disclose any and all affiliations with any and all other organizations involved with the same sport. These affiliations include any of the following roles: athlete, coach, manager, official, employee, volunteer, officer or director.

## **Minimizing Conflicts of Interest in Decision-Making**

10. 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 the Association.
  
11. For potential conflicts of interest involving employees, the Association's Board will determine whether there is there a conflict and, if one exists, the employee will resolve the conflict by ceasing the activity giving rise to the conflict. The Association 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 the Association or give rise to a conflict of interest.

## **Conflict of Interest Complaints**

12. 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 the Association's Board who will as quickly as possible decide appropriate measures to eliminate the conflict.
  
13. The Association's Board decision as to whether or not a conflict of interest exists will be governed by the following procedures:
  - a) Copies of any written documents to be considered by the Board will be provided to the Individual who may be in a conflict of interest situation
  - b) The Individual who may be in a conflict of interest situation will be provided an opportunity to address the Association's Board orally or if granted such right by the Association's Board, in writing
  - c) The decision will be by a majority vote of the Association's Board
  
14. If the Individual acknowledges the conflict of interest, the Individual may waive the right to be heard, in which case the Association's Board will determine the appropriate sanction.

## **Decision**

15. After hearing and/or reviewing the matter, the Association's Board will determine whether a conflict of interest exists and, if so, the sanctions to be imposed.

## **Sanctions**

16. The Board may apply the following actions singly or in combination for real or perceived conflicts of interest:
  - a) Removal or temporary suspension of certain responsibilities or decision-making authority.
  - b) Removal or temporary suspension from a designated position.
  - c) Removal or temporary suspension from certain teams, events and/or activities.
  - d) Expulsion from the Association.
  - e) Other actions as may be considered appropriate for the real or perceived conflict of interest.
17. 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 the Association to be addressed under the Association's *Discipline and Complaints Policy*.
18. Failure to comply with an action as determined by the Board will result in automatic suspension from the Association until compliance occurs.
19. The Board may determine that an alleged real or perceived conflict of interest is of such seriousness as to warrant suspension of designated activities pending a meeting and a decision of the Board.

## **Enforcement**

20. **Failure to adhere to this Policy may permit discipline in accordance with the Association's *Discipline and Complaints Policy*.**





SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.10

APPROVED: January 18, 2013  
REVISED: January 18, 2013

SBSA shall incorporate a Member Assistance Program (MAP) Funding Policy.

## **MAP Funding Policy**

### **Overview**

The purpose of the Membership Assistance Program (MAP) is to provide support to local Associations to help increase participation, expand sport development opportunities and assist with the promotion of the Saskatchewan Blind Sports Association within Saskatchewan.

The MAP funding that Saskatchewan Blind Sports Association receives to distribute to eligible local associations comes from the Saskatchewan Lotteries Trust Fund of Sport, Culture and Recreation, and is derived from the sale of lottery tickets in Saskatchewan.

### **Eligibility**

Local associations who have members in good standing with the Saskatchewan Blind Sports Association will be eligible to apply for MAP funds.

MAP allocations for each local association will be based on the number of individuals who currently have membership in SBSA

The maximum MAP allocation per local association will be determined by the number of members currently having an SBSA membership.

Once total registered membership numbers for a season are determined, the amount of maximum MAP allocations for each eligible local association will be communicated by the SBSA office.

### **Eligible Expenses:**

*MAP funds may be used for the following purposes:*

- *Promotional material and events related to the development of the sport and attracting new players*
- *Player development and skills camps and clinics*
- *Equipment*
- *Coaching and Officiating clinics – participant expenses*

### **Ineligible Expenses:**

*MAP funds cannot be used for the following purposes:*

- *Construction, upgrading, maintenance or operating costs of facilities*
- *Expenditures for which other grants funds have been used.*
- *Cash Prizes*
- *Social Events (BBQ's, lunches, etc)*
- *Alcoholic beverages*
- *Research projects or feasibility studies*
- *Out of province travel*
- *Provincial or University CIS team expenses*

- *Other expenses deemed ineligible by SBSA*

### **Application Process and Procedures:**

- MAP Funding Spending Plans and Applications must be submitted by December 31<sup>st</sup> to the Saskatchewan Blind Sports Association Office and signed by a club official.
- MAP Spending Plans are available by contacting the Executive Director of SBSA or by downloading them from the SBSA web page @ [www.saskblindsports.ca](http://www.saskblindsports.ca)
- Local Associations applying for MAP may apply for up to their maximum eligible MAP allocation and must provide details – including a budget – within their Spending Plan and Application forms to outline how and what the MAP funds will be used toward.
- Each local association must state in their application how Saskatchewan Lotteries will be recognized for their support.

### **Approval Process:**

- The Executive Director and a Review Committee of SBSA will receive and review MAP applications and complete the final approval process.
- Once applications have been reviewed and approved, the Executive Director will communicate the results to each applicant.
- **Approved projects and grant support must take place within SBSA's fiscal year for which the grant funds were approved. Retroactive funding or pre-funding for projects that take place outside of the fiscal year is not permitted.**

### **Payment Process:**

- For approved applications, funds will be released once all receipts and follow up reports have been submitted and reviewed to ensure completeness.
- 100% of approved MAP funds will be dispersed once completed follow-up reports and receipts are submitted. There will be no early disbursement of funds.
- Payment for MAP grants will be made by the SBSA office directly to the local association approved for the grant.

### **Follow up Process:**

- MAP follow up reports must be submitted by February 28<sup>th</sup>
- Follow-up reports must include appropriate receipts or documentation to verify all expenses incurred, as approved from MAP application.
- MAP Follow-up Report forms are available by contacting the Executive Director of SBSA.
- Documentation (receipts) to verify expenditures can take various forms but should at a minimum:
  - Indicate name of recipient (person or business) of the funds
  - Describe goods or services provided for payment
  - Disclose the amount of the payment
  - Include the date that the goods/services was purchased (must be within the MAP grant year)
  - Include third party verification (supplier logo on an invoice, signature of the recipient on an expense claim, or in the rare case where there is no other backup documentation, a copy of the cheque, with the bank clearing stamp on the back

*NOTE: Legible copies of documents for financial accountability (i.e. receipts, cancelled cheques, invoices, expense claims, etc) are acceptable. Original documents are not necessary for submission to the PSGB but should be maintained by the member club/team submitting the MAP grant follow-up report.*

All Applications, Follow-up Reports or enquiries regarding MAP should be directed to:

Executive Director  
Saskatchewan Blind Sports Association  
510 Cynthia Street  
Saskatoon, Saskatchewan  
Email: [sbsa.sk@shaw.ca](mailto:sbsa.sk@shaw.ca)  
Phone: 306-975-0888 Fax: 306-242-8007  
Toll Free: 1-877-772-7798

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.11

APPROVED: March 26, 2013  
REVISED: March 26, 2013

SBSA shall incorporate a Respect In Sport (RIS) Policy.

## Saskatchewan Blind Sports Association .... Respect In Sport Policy

### Purpose of the Policy:

SBSA is committed to creating a sport environment in which all individuals are treated with respect and dignity. Coaches have a responsibility to create a sporting environment that is free of harassment, abuse, bullying and neglect.

SBSA requires that all coaches participating in the sports that SBSA sponsors have completed the online Respect in Sport training program, as required by Sask Sport Inc.

### Scope and Application:

1. The policy applies to all coaches registered or named on an official sport roster under the membership jurisdiction of SBSA.
2. Coaches not holding valid certification will have until April 1, 2014 to complete the RiS online training program or the NCCP Empower+.
3. New coaches registering with SBSA will have 60 days from the date of their registration with SBSA to complete the RiS online training program.
4. SBSA is responsible for setting out the communication strategy specific to the certification requirements and deadline.
5. The Respect in Sport Policy will be displayed on the SBSA website.

### Enforcement:

- Any coach not having RiS certification (or its equivalency) by the deadline established will be removed as a coach until such time that the course is completed.
- Non-compliance with this policy may result in further discipline as determined by the Board of Directors or in accordance with the SBSA policy.

### RiS Administration:

The Executive Director of SBSA will have administrative access to the RiS database to oversee functions such as report generation and monitoring.

### Review and Approval:

This policy was approved by the SBSA Board of Directors on March 26<sup>th</sup>, 2013 and will be reviewed by the Board of Directors on an annual basis.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.12

APPROVED: September 7, 2013  
REVISED: September 7, 2013

SBSA shall incorporate a Cheque Requisition Policy. The SBSA office shall supply a Cheque Requisition form to each SBSA Sport Co-ordinator.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
CHEQUE REQUISITION POLICY

**PURPOSE:**

This policy defines SBSA's Policy and Procedures regarding payment of miscellaneous commitments through the cheque requisitioning process.

**DEFINITIONS:**

A "cheque requisition" is a commitment of funds which is not documented by an invoice from the Payee.

For example: honoraria, advance payments, membership dues, subscription fees and one-time services-rendered payments for non-SBSA employees.

**MEMBERSHIP/REGISTRATION** – When a corporation or society requires payment for a membership or registration where the company or organization will not be issuing an invoice. Include membership/registration form with the cheque requisition form.

**PAYEE** – An individual or entity to which a cheque is to be made payable.

**POLICY** –

1. Payment of a miscellaneous commitment must be requested by completing and submitting the SBSA's "Cheque Requisition" form to the Executive Director of SBSA.
2. A Sport Coordinator for SBSA may complete a cheque requisition form.
3. In accordance with SBSA Policy and Revenue Canada requirements, original receipts, original membership/subscription application forms, or any other pertinent documentation must accompany the cheque requisition.
4. Cheques will be distributed by mail to the Payee once the authorized cheque requisition form has been received by the SBSA Executive Director.
5. The Executive Director of SBSA will provide each Sport Coordinator with a cheque requisition form.



SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.13

APPROVED: June 6, 2014  
REVISED: June 6, 2014

Should the rules of play for the All In One Football Pool be affected by a delay or strike in the regular season of the CFL, scores from the first game played by the Saskatchewan Roughriders following the CFL delay or strike shall be used to determine winners from the originally scheduled games not played due to the CFL strike. Should there be no Saskatchewan Roughriders games played, all moneys shall be refunded to All In One Football Pool ticket purchasers.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.14

APPROVED: March 24, 2016  
REVISED: March 24, 2016

SBSA shall incorporate an Alternate Dispute Resolution Policy.

# **Saskatchewan Blind Sports Association Alternate Dispute Resolution Policy**

## **Definitions**

1. The following terms have these meanings in this Policy:
  - a) “*Association*” –Saskatchewan Blind Sports Association
  - b) “*In writing*”- A letter, fax or email sent directly to the Association.

## **Purpose**

2. The Association supports the principles of Alternate Dispute Resolution (ADR) and is committed to the techniques of negotiation, facilitation, and mediation as effective ways to resolve disputes.
3. The Association encourages all individuals and parties to communicate openly, collaborate, and use problem-solving and negotiation techniques to resolve their differences. The Association believes that negotiated settlements are usually preferable to outcomes resolved through other dispute resolution techniques.

## **Application of this Policy**

4. This Policy applies to all disputes within the Association 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 Alternate Dispute Resolution, a mediator or facilitator shall be appointed by the Association and/or the Case Manager to mediate or facilitate the dispute.
6. The mediator or facilitator shall decide the format under which the dispute shall be mediated or facilitated.
7. The final decision will be communicated by the mediator or facilitator to the parties and the Association.
8. Should a negotiated decision be reached, the decision shall be reported to, and approved by the Association.
9. Should a negotiated decision not be reached by the deadline specified by the mediator or facilitator, or if the parties to the dispute do not agree to Alternate Dispute Resolution, the dispute shall be considered under the appropriate section of Association’s *Discipline and Complaints Policy* or *Appeal Policy*.
10. The costs of mediation and facilitation will be shared equally by the parties or paid by the Association upon the Association’s sole discretion.

## **Final and Binding**

11. Any negotiated decision will be binding on the parties. Negotiated decisions may not be appealed.
12. No action or legal proceeding will be commenced against Association or its Individuals in respect of a dispute, unless the Association has refused or failed to provide or abide by its governing documents.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.15

APPROVED: March 24, 2016  
REVISED: March 24, 2016

SBSA shall incorporate an Appeal Policy.

# Saskatchewan Blind Sports Association Appeal Policy

## Definitions

1. The following terms have these meanings in this Policy:
  - a) “*Appellant*” – The Party appealing a decision
  - b) “*Appeals Panel*” – A single person, or in extraordinary circumstances and at the discretion of the Case Manager, three persons, who will hear and decide the appeal.
  - c) “*Association*” – Saskatchewan Blind Sports Association
  - d) “*Case Manager*” – An individual appointed by the Association, who need not be a member or affiliated with the Association, to administer this Appeal Policy. The Case Manager will comply with the position description described in Appendix “A”.
  - e) “*Days*” – Days including weekend and holidays
  - f) “*In writing*”- A letter, fax or email sent directly to the Association.
  - g) “*Individuals*” – All categories of membership defined in the Association’s Bylaws, including clubs, teams as well as, all individuals engaged in activities with the Association including, but not limited to, athletes, coaches, referees, officials, volunteers, managers, administrators, committee members, and directors and officers of the Association
  - h) “*Respondent*” – The body whose decision is being appealed

## Purpose

2. The Association provides Individuals with this *Appeal Policy* to appeal certain decisions made by the Association.

## Scope and Application of this Policy

3. Any Individual who is directly affected by an Association decision will have the right to appeal that decision; provided the appeal falls within the jurisdiction of this Policy and there are sufficient grounds for the appeal under the ‘Grounds for Appeal’ section of this Policy.
4. This Policy **will not apply** to decisions relating to:
  - a) Employment
  - b) Infractions for doping offenses
  - c) The rules of the sport
  - d) Budgeting and budget implementation
  - e) Operational structure and committee appointments
  - f) Volunteer appointments and the withdrawal or termination of those appointments
  - g) Decisions rendered by entities other than Association (appeals of these decisions shall be dealt with pursuant to the policies of those other entities unless requested and accepted by Association at its sole discretion)
  - h) Commercial matters
  - i) Decisions made under this Policy

### **Timing and Conditions of Appeal**

5. Individuals who wish to appeal a decision have fourteen (14) days from the date on which they received notice of the decision to submit, in writing to the Association, the following:
  - a) Notice of the intention to appeal
  - b) Contact information and status of the Appellant
  - 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 decision if written document is not available
  - f) Grounds for the appeal
  - g) Detailed reasons for the appeal
  - h) All evidence that supports the appeal
  - i) Requested remedy or remedies
  - j) An appeal fee of five hundred dollars (\$500) which will be refunded if the appeal is successful, or forfeited if the appeal is denied. The Appeal Fee will be submitted to the office of SBSA either in the form of a cheque or a cash equivalent.
6. An Individual who wishes to initiate an appeal beyond the fourteen (14) day period must provide a written request stating the reasons for 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 Case Manager and may not be appealed.
7. Appeals should be submitted to:  
Executive Director of SBSA  
Email [sbsa.sk@shaw.ca](mailto:sbsa.sk@shaw.ca)  
Fax – (306) 242 - 8007

### **Case Manager**

8. Upon the receipt of an appeal, the Association will appoint an independent Case Manager to manage and administer appeals submitted in accordance with this Policy and such appointment is not appealable. Case Manager services will be accessible through Sask Sport from an external firm or pool of individuals with knowledge and expertise in dispute resolution.

### **Grounds for Appeal**

9. An appeal may only be heard if there are sufficient grounds for appeal, as determined by the Case Manager. Sufficient grounds only 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)
  - 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)

d) Made a decision that was grossly unreasonable

10. The Appellant must demonstrate, on a balance of probabilities, that the Respondent has made a procedural error as described in the 'Grounds for Appeal' section of this Policy.

### **Alternate Dispute Resolution**

11. Upon receiving the notice of the appeal, the fee, and all other information (outlined in the 'Timing of Appeal' section of this Policy), the Appeal Panel may suggest, and the Parties may consent, the appeal to be heard under the Association's *Alternate Dispute Resolution Policy*.
12. Appeals resolved by mediation under the Association's *Alternate Dispute Resolution Policy* will cause the administration fee to be refunded to the Appellant.

### **Screening of Appeal**

13. Should the appeal not be resolved by using the *Alternate Dispute Resolution Policy*, the Case Manager will have the following responsibilities:
  - a) Determine if the appeal falls under the scope of this Policy
  - b) Determine if the appeal was submitted in a timely manner
  - c) Decide whether there are sufficient grounds for the appeal
14. If the appeal is denied 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 and the Association will be notified, in writing, by the Panel of the reasons for this decision. This decision may not be appealed.
15. If there are sufficient grounds for an appeal, the Case Manager will appoint an Appeal Panel (the "Panel") which shall consist of a single Adjudicator, to hear the appeal. In extraordinary circumstances, and at the discretion of the Case Manager, a Panel of three persons may be appointed to hear the appeal. In this event, the Case Manager will appoint three Panel members and designate one of the appointees to serve as the Chair.
16. The Case Manager will establish and adhere to timeframes that ensure procedural fairness and that the matter is heard in a timely fashion.

### **Procedure for Appeal Hearing**

17. **The Case Manager, in cooperation with the Panel, shall then decide the format under which the appeal will be heard. This decision may not be appealed.**
18. **The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone/telecommunications or other electronic means, 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 Panel deem appropriate in the circumstances, provided that:**
  - a) The hearing will be held within a timeline determined by the Case Manager or the Panel



- b) The Parties will be given reasonable notice of the day, time and place of the hearing, in the case of an oral in-person hearing, an oral hearing by telephone or other telecommunications
- c) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties in advance of the hearing
- d) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
- e) The Panel may request that any other individual participate and give evidence at the hearing
- f) The Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the appeal, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
- g) If a decision in the appeal may affect another party to the extent that the other party would have recourse to an appeal in their own right under this Policy, that party will become a party to the appeal in question and will be bound by its outcome
- h) The decision to uphold or reject the appeal will be by a majority vote of the Panel

**19. The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.**

**20. In fulfilling its duties, the Panel may obtain independent advice.**

### **Appeal Decision**

21. The Panel shall issue its decision, in writing and with reasons, after the hearing's conclusion. In making its decision, the Panel will have no greater authority than that of the original decision-maker. The Panel may decide to:
- a) Reject the appeal and confirm the decision being appealed
  - b) Uphold the appeal and refer the matter back to the initial decision-maker for a new decision
  - c) Uphold the appeal and vary the decision
22. The Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and the Association within 14 days of the hearing's conclusion. In extraordinary circumstances, the Panel may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter. The decision will be considered a matter of public record unless decided otherwise by the Panel.

### **Confidentiality**

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

### **Final and Binding**

24. The decision of the Panel will be binding on the Parties and on all the Association's Individuals.
25. No action or legal proceeding will be commenced against the Association or Individuals in respect of a dispute, unless the Association has refused or failed to provide or abide by the appeal process as set out in this Policy.

## Appendix A

### CASE MANAGER POSITION DESCRIPTION

#### Purpose

1. In some of its policies, the Association requires the appointment of a Case Manager. This Position Description outlines the role, identity, responsibilities and tasks of the Case Manager.

#### Policies

1. The following Policies require the appointment of a Case Manager:
  - a) Discipline and Complaints
  - b) Appeal
  - c) Alternate Dispute Resolution Policy

#### Identity

2. The Case Manager, whether or not appointed by the Association at their sole discretion, should be experienced with the management of disputes in an unbiased manner. The individual should not be connected in any way to the issue being disputed (and/or the outcome of the dispute) but does not necessarily need to be an independent third-party not connected with the Association – though the guaranteed independence and neutrality of a third-party is preferred. The individual does not need to be a Member of the Association.
3. The Case Manager's identity does not need to be approved by any of the parties involved in the dispute, excluding the Association.

#### Discretion - Complaints

4. When a complaint is filed, the Case Manager is required to:
  - a) Determine whether the complaint is frivolous and within the jurisdiction of the Discipline and Complaints Policy
  - b) Propose the use of the Association's Alternate Dispute Resolution Policy
  - c) Appoint the Panel, if necessary
  - d) Coordinate all administrative aspects and set timelines
  - e) Provide administrative assistance and logistical support to the Panel as required
  - f) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

#### Discretion - Appeals

5. **When an appeal is filed, the Case Manager is required to:**
  - a) Propose the use of the Association's Alternate Dispute Resolution Policy
  - b) **Determine if the appeal falls under the scope of the Appeal Policy**
  - c) **Determine if the appeal was submitted in a timely manner**
  - d) **Decide whether there are sufficient grounds for the appeal**
  - e) Appoint the Panel, if necessary
  - f) Coordinate all administrative aspects and set timelines
  - g) Provide administrative assistance and logistical support to the Panel as required

h) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

6. **When determining if there are sufficient grounds for appeal, the Case Manager is not acting as the Panel and determining the merits of the appeal, but instead determining whether the Appellant has properly shown that an error, as described in the Appeal Policy, has been properly argued. The Case Manager will need to carefully consult the Association's policies and procedures, and analyze the process that contributed to the decision, to determine whether there are appropriate grounds.**

#### **Discretion – Alternate Dispute Resolution**

7. **When the parties agree to the jurisdiction of the Alternate Dispute Resolution Policy, the Case Manager maybe required to:**
  - a) Appoint the mediator or facilitator
  - b) Coordinate all administrative aspects and set timelines
  - c) Provide administrative assistance and logistical support to the mediator or facilitator as required

#### **Hearing Format - Discretion**

8. If necessary, the Case Manager is required to exercise their discretion to determine the format of the hearing. Hearings typically take the following forms:
  - a) In person
  - b) Conference call
  - c) Written submissions
  - d) Conference call + written submissions
9. In determining the format of the hearing the Case Manager should consider:
  - a) The distance between the parties
  - b) The animosity between the parties
  - c) The time commitment and location of the Panel
  - d) The timelines for a decision
  - e) The language barriers between the parties
  - f) The gravity of the complaint/appeal

#### **Panel Appointment**

10. **The Case Manager is required to appoint a Panel of one person, or three in extraordinary circumstances, to decide the issue. The individual(s) should have the following characteristics:**
  - a) **Experience in dispute resolution**
  - b) **Experience with sport disputes**
  - c) **No connection to either party**
  - d) **Preferably no connection with the Parties**
  - e) **Decisive**
11. **The Case Manager should remind the Panel to adhere to the powers given to the Panel by the applicable policy. For example, if the policy does not permit**

**the Panel to suspend the respondent indefinitely, then the Panel cannot sanction the respondent in this manner.**

## Communication

12. **Especially when the hearing is to be held by written submissions, the Case Manager is required to communicate swiftly, clearly, and decisively with each party. The parties must adhere to the deadlines set by the Case Manager or by the applicable policy and the process must move forward even if a party misses a deadline.**
13. **When coordinating an oral hearing, the Case Manager should first consider the schedule of the Panel, then the schedule of the complainant, and then the schedule of the respondent in an attempt to find a suitable time for everyone.**

## Suggested Procedure

14. **The Case Manager may implement the following procedure to facilitate the Discipline and Complaints Policy or the Appeal Policy:**
  - a) **Receive the written complaint or appeal**
  - b) **Communicate with the Complainant/Appellant that you have been appointed the Case Manager and that their complaint/appeal will be disclosed to the Respondent and Panel. Also determine if there is additional evidence or written submissions to follow, if so, provide a deadline for receipt. (After this step, the Complainant/Appellant may not have another opportunity to make additional submissions or provide evidence, unless determined otherwise by the Panel)**
  - c) **Determine whether the complaint is within the jurisdiction of the applicable Policy.**
  - d) **Notify the Respondent that you are the Case Manager and are in receipt of a complaint/appeal. Communicate to the Respondent that any submissions will be provided to the Complainant/Appellant and Panel. Provide the Respondent with a reasonable timeframe to submit their response document and any applicable evidence. (After this step, the Respondent may not have another opportunity to make additional submissions or provide evidence, unless determined otherwise by the Panel).**
  - e) **The Case Manager may wish to provide the Complainant/Appellant to submit a rebuttal, but the rebuttal must be limited to issues raised by the Respondent and is not an opportunity to provide new evidence. The Panel may exclude such new evidence.**
  - f) **Appoint the Panel**
  - g) **Conduct a hearing either via written documentation, teleconference, in – person, or a combination of these techniques.**
  - h) **Ensure the Panel renders a written decision within a prescribed timeline.**

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.16

APPROVED: March 24, 2016  
REVISED: March 24, 2016

SBSA shall incorporate a Code of Conduct Policy.



# Saskatchewan Blind Sports Association Code of Conduct

## Definitions

1. The following terms have these meanings in this Code:
  - a) “*Association*” – Saskatchewan Blind Sports Association
  - b) “*Individuals*” – All categories of membership defined in the Association’s Bylaws, as well as all individuals engaged in activities with the Association including, but not limited to, athletes, coaches, referees, officials, volunteers, managers, administrators, committee members, and directors and officers of the Association
  - c) “*Harassment*” – Behaviour that constitutes harassment is defined in Section 7(b)
  - d) “*Workplace Harassment or Workplace Violence*” – Behaviour that constitutes workplace harassment and workplace violence is defined in Section 7(c)
  - e) “*Sexual harassment*” – Behaviour that constitutes sexual harassment and workplace violence is defined in Section 7(d)

## Purpose

2. The purpose of this Code is to ensure a safe and positive environment by making Individuals aware that there is an expectation of appropriate behaviour consistent with this Code. The Association supports equal opportunity, prohibits discriminatory practices, and is committed to providing an environment in which all individuals are treated with respect and fairness.

## Application of this Code

3. This Code applies to Individuals’ conduct during the Association’s business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with the Association’s activities, the Association’s office environment, and any meetings.
4. This Code also applies to Individuals’ conduct outside of the Association’s business, activities, and events when such conduct adversely affects relationships within the Association and/or its Members (and its work and sport environment) and is detrimental to the image and reputation of the Association. Such jurisdiction will be determined by the Association at its sole discretion.
5. An Individual who violates this Code may be subject to sanctions pursuant to the Association’s *Discipline and Complaints Policy*.
6. An employee of the Association found to have breached this Code will be subject to appropriate disciplinary action subject to the terms of the Association’s Human Resources Policy, as well as the employee’s Employment Agreement, as applicable. Violations could result in a warning, reprimand, access restrictions, suspension and other disciplinary actions up to and including termination of employment/contract.

## Responsibilities

7. Individuals have a responsibility to:

- a) Maintain and enhance the dignity and self-esteem of the Association members and other individuals by:
  - i. Demonstrating respect to individuals regardless of body type, physical characteristics, athletic ability, age, ancestry, colour, race, citizenship, ethnic origin, place of origin, creed, disability, family status, marital status, gender identity, gender expression, sex, and sexual orientation
  - ii. Focusing comments or criticism appropriately and avoiding public criticism of Individual or the Association
  - iii. Consistently demonstrating the spirit of sportsmanship, sport leadership, and ethical conduct
  - iv. Acting, when appropriate, to correct or prevent practices that are unjustly discriminatory
  - v. Consistently treating individuals fairly and reasonably
  - vi. Ensuring adherence to the rules of the sport and the spirit of those rules
- b) Refrain from any behaviour that constitutes **harassment**. Types of behaviour that constitute harassment include, but are not limited to:
  - i. Written or verbal abuse, threats, or outbursts
  - ii. The display of visual material which is offensive or which one ought to know is offensive
  - iii. Unwelcome remarks, jokes, comments, innuendo, or taunts
  - iv. Leering or other suggestive or obscene gestures
  - v. Condescending or patronizing behaviour which is intended to undermine self-esteem, diminish performance or adversely affect working conditions
  - vi. Practical jokes which cause awkwardness or embarrassment, endanger a person's safety, or negatively affect performance
  - vii. Any form of hazing
  - viii. Unwanted physical contact including, but not limited to, touching, petting, pinching, or kissing
  - ix. Unwelcome sexual flirtations, advances, requests, or invitations
  - x. Physical or sexual assault
  - xi. Behaviours such as those described above that are not directed towards a specific individual or group but have the same effect of creating a negative or hostile environment
  - xii. Retaliation or threats of retaliation against an individual who reports harassment

- c) Refrain from any behaviour that constitutes **Workplace Harassment or Workplace Violence**, where workplace harassment is defined as conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome; and where workplace violence is defined as the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or a statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker. Workplace matters should not be confused with legitimate, reasonable management actions that are part of the normal work function, including measures to correct performance deficiencies, such as placing someone on a performance improvement plan, or imposing discipline for workplace infractions. Types of behaviour that constitute workplace harassment or workplace violent include, but are not limited to:

#### Workplace Harassment

- i. Bullying
- ii. Repeated offensive or intimidating phone calls or emails
- iii. Inappropriate touching, advances, suggestions or requests
- iv. Displaying or circulating offensive pictures, photographs or materials
- v. Psychological abuse
- vi. Discrimination
- vii. Intimidating words or conduct (offensive jokes or innuendos)
- viii. Words or actions which are known or should reasonably be known to be offensive, embarrassing, humiliating, or demeaning

#### Workplace Violence

- ix. Verbal threats to attack a worker
- x. Sending to or leaving threatening notes or emails
- xi. Making threatening physical gestures
- xii. Wielding a weapon
- xiii. Hitting, pinching or unwanted touching which is not accidental
- xiv. Blocking normal movement or physical interference, with or without the use of equipment
- xv. Sexual violence
- xvi. Any attempt to engage in the type of conduct outlined above

- d) Refrain from any behaviour that constitutes **Sexual Harassment**, where sexual harassment is defined as unwelcome sexual comments and sexual advances, requests for sexual favours, or conduct of a sexual nature. Types of behaviour that constitute sexual harassment include, but are not limited to:
- i. Sexist jokes
  - ii. Display of sexually offensive material
  - iii. Sexually degrading words used to describe a person
  - iv. Inquiries or comments about a person's sex life
  - v. Unwelcome sexual flirtations, advances, or propositions
  - vi. Persistent unwanted contact

- e) Abstain from the non-medical use of drugs or the use of performance-enhancing drugs or methods. More specifically, the Association adopts and adheres to the Canadian Anti-Doping Program. The Association will respect any penalty enacted pursuant to a breach of the Canadian Anti-Doping Program, whether imposed by the Association or any other sport Association
- f) Refrain from associating with any person for the purpose of coaching, training, competition, instruction, administration, management, athletic development, or supervision of the sport, who has incurred an anti-doping rule violation and is serving a sanction involving a period of ineligibility imposed pursuant to the Canadian Anti-Doping Program and/or the World Anti-Doping Code and recognized by the Canadian Centre for Ethics in Sport (CCES)
- g) Refrain from the use of power or authority in an attempt to coerce another person to engage in inappropriate activities
- h) Refrain from consuming alcohol, tobacco products, or recreational drugs while participating in Association programs, activities, competitions, or events. In the case of adults, avoid consuming alcohol in situations where minors are present and take reasonable steps to manage the responsible consumption of alcohol in adult-oriented social situations associated with the Association's events
- i) Respect the property of others and not wilfully cause damage
- j) Adhere to all federal, provincial, municipal and host country laws**
- k) Comply, at all times, with the Association's bylaws, policies, procedures, and rules and regulations, as adopted and amended from time to time
- l) When driving a vehicle with an Individual:
  - i. Not have his or her license suspended
  - ii. Not be under the influence of alcohol, illegal drugs or substances
  - iii. Have valid car insurance
- m) Refrain from engaging in deliberate cheating which is intended to manipulate the outcome of a competition and/or not offer or receive any bribe which is intended to manipulate the outcome of a competition.

### **Board/Committee Members**

8. In addition to section 7 (above), Association's Directors and Committee Members will have additional responsibilities to:
  - a) Function primarily as a member of the board and/or committee(s) of Association; not as a member of any other particular member or constituency
  - b) Act with honesty and integrity and conduct themselves in a manner consistent with the nature and responsibilities of the Association's business and the maintenance of Individuals' confidence
  - c) Ensure that the Association's financial affairs are conducted in a responsible and transparent manner with due regard for all fiduciary responsibilities
  - d) Conduct themselves openly, professionally, lawfully and in good faith in the best interests of Association

- e) Be independent and impartial and not be influenced by self-interest, outside pressure, expectation of reward, or fear of criticism
- f) Behave with decorum appropriate to both circumstance and position
- g) Keep informed about the Association's activities, the provincial sport community, and general trends in the sectors in which they operate
- h) Exercise the degree of care, diligence, and skill required in the performance of their duties pursuant to the laws under which the Association is incorporated
- i) Respect the confidentiality appropriate to issues of a sensitive nature
- j) Respect the decisions of the majority and resign if unable to do so
- k) Commit the time to attend meetings and be diligent in preparation for, and participation in, discussions at such meetings
- l) Have a thorough knowledge and understanding of all Association governance documents
- m) Conform to the bylaws and policies approved by Association

### **Coaches**

9. In addition to section 7 (above), 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 be extremely careful not to abuse it, consciously or unconsciously. Coaches will:
- a) Ensure a safe environment by selecting activities and establishing controls that are suitable for the age, experience, ability, and fitness level of the involved athletes
  - b) Prepare athletes systematically and progressively, using appropriate time frames and monitoring physical and psychological adjustments while refraining from using training methods or techniques that may harm athletes
  - c) Avoid compromising the present and future health of athletes by communicating and cooperating with sport medicine professionals in the diagnosis, treatment, and management of athletes' medical and psychological treatments
  - d) Accept and promote athletes' personal goals and refer athletes to other coaches and sports specialists as appropriate
  - 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) Provide athletes (and the parents/guardians of minor athletes) with the information necessary to be involved in the decisions that affect the athlete
  - g) Act in the best interest of the athlete's development as a whole person
  - h) Comply with the Association's *Screening Policy, if applicable*.
  - i) Report to the Association any ongoing criminal investigation, conviction, or existing bail conditions, including those for violence, child pornography, or possession, use, or sale of any illegal substance
  - j) Under no circumstances provide, promote, or condone the use of drugs (other than properly prescribed medications) or performance-enhancing substances and, in the case of minors, alcohol and/or tobacco

- k) Respect athletes playing with other teams and, in dealings with them, not encroach upon topics or actions which are deemed to be within the realm of 'coaching', unless after first receiving approval from the coaches who are responsible for the athletes
- l) Dress professionally, neatly, and inoffensively
- m) Use inoffensive language, taking into account the audience being addressed
- 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) Not engage in a sexual relationship with an athlete under 18 years old, or an intimate or sexual relationship with an athlete over the age of 18 if the coach is in a position of power, trust, or authority over the athlete
- p) Refrain from using their power or authority to coerce another person to engage in or tolerate sexual or harmful activities.
- q) Refrain from conduct that causes physical or emotional harm to Individuals
- r) Prevent the use of power or authority in an attempt, successful or not, to coerce another person to engage in or tolerate sexual activity.

#### Athletes

10. In addition to section 7 (above), athletes will have additional responsibilities to:

- a) Report any medical problems in a timely fashion, when such problems may limit their ability to travel, practice, or compete; or in the case of carded athletes, interfere with the athlete's ability to fulfill their carded athlete requirements
- b) Participate and appear on-time, well-nourished, and prepared to participate to their best abilities in all competitions, practices, training sessions, tryouts, tournaments, and events
- c) Properly represent themselves and not attempt to participate in a competition for which they are not eligible by reason of age, classification, or other reason
- d) Adhere to the Association's rules and requirements regarding clothing and equipment
- e) Act in a sportsmanlike manner and not display appearances of violence, foul language, or gestures to other athletes, officials, coaches, or spectators
- f) Dress in a manner representative of the Association; focusing on neatness, cleanliness, and discretion
- g) Act in accordance with the Association's policies and procedures and, when applicable, additional rules as outlined by coaches or managers

## **Officials**

11. In addition to section 7 (above), officials will have additional responsibilities to:
- a) Maintain and update their knowledge of the rules and rules changes
  - b) Work within the boundaries of their position's description while supporting the work of other officials
  - c) Act as an ambassador of the Association by agreeing to enforce and abide by national and provincial rules and regulations
  - d) Take ownership of actions and decisions made while officiating
  - e) Respect the rights, dignity, and worth of all individuals
  - f) Not publicly criticize other officials or any club or the Association
  - g) Act openly, impartially, professionally, lawfully, and in good faith
  - h) Be fair, equitable, considerate, independent, honest, and impartial in all dealings
  - i) Respect the confidentiality required by issues of a sensitive nature, which may include ejections, defaults, forfeits, discipline processes, appeals, and specific information or data about Individuals
  - j) Honour all assignments unless unable to do so by virtue of illness or personal emergency, and in these cases inform the assignor or the Association at the earliest possible time
  - k) When writing reports, set out the true facts
  - l) Dress in proper attire for officiating

## **Parents/Guardians and Spectators**

12. In addition to paragraph 7 above, Parents/Guardians and Spectators at events will:
- a) Encourage athletes to play by 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 for making a mistake during a performance or practice
  - d) Provide positive comments that motivate and encourage participants continued effort
  - e) Respect the decisions and judgments of officials, and encourage athletes to do the same. Feedback on competition performances is provided by officials only to the coaching staff, so parents are encouraged to discuss any questions with your athletes coach
  - f) Recognize that officials, executives and staff act in good faith, and in the best interests of the athletes and sport as a whole.
  - g) Respect the decisions and judgments of officials, and encourage athletes to do the same
  - h) Never question an officials' or staffs' judgment or honesty
  - i) Support all efforts to remove verbal and physical abuse, coercion, intimidation and sarcasm
  - j) Respect and show appreciation to all competitors, and to the coaches, officials and other volunteers
  - k) Refrain from the use of bad language, nor harass competitors, coaches, officials, parents/guardians or other spectators

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.17

APPROVED: March 24, 2016  
REVISED: March 24, 2016

SBSA shall incorporate a Discipline and Complaints Policy.



## **Saskatchewan Blind Sports Association Discipline and Complaints Policy**

### **Definitions**

2. The following terms have these meanings in this Policy:
  - i) “*Association*” - Saskatchewan Blind Sports Association
  - j) “*Case Manager*” – An individual appointed by the Association, who need not be a member or affiliated with the Association, to administer this Discipline and Complaints Policy. The Case Manager will comply with the position description described in Appendix “A”.
  - k) “*Complainant*” – The Party alleging an infraction
  - l) “*Days*” – Days including weekend and holidays
  - m) “*Individuals*” – All categories of membership defined in the Association’s Bylaws, including clubs, teams, as well as all individuals engaged in activities with the Association including, but not limited to, athletes, coaches, referees, officials, volunteers, managers, administrators, committee members, and directors and officers of the Association
  - n) “*In writing*”- A letter, fax or email sent directly to the Association.
  - o) “*Respondent*” – The alleged infracting Party

### **Purpose**

2. Individuals and participants are expected to fulfill certain responsibilities and obligations including, but not limited to, complying with Association’s policies, bylaws, rules and regulations, and *Codes of Conduct*. Non-compliance may result in sanctions pursuant to this Policy.

### **Application of this Policy**

3. This Policy applies to all Individuals relating to matters that may arise during the course of Association’s business, activities, and events including, but not limited to, competitions, practices, tryouts, training camps, travel associated with Association activities, and any meetings.
4. This Policies also applies to Individuals’ conduct outside of the Association’s business, activities, and events when such conduct adversely affects relationships within the Association (its work and/or sport environment) or is detrimental to the image and reputation of the Association. The jurisdiction of this Policy will be determined by the Association at its sole discretion.
5. This Policy does not prevent discipline from being applied, during a competition or event. Further discipline may be applied according to this Policy. Any infractions or complaints occurring within competition will be dealt with by the procedures specific to the competition, if applicable. In such situations, disciplinary sanctions will be for the duration of the competition, training, activity or event only.
6. An employee of the Association found to have to be a Respondent will be subject to appropriate disciplinary action subject to the terms of the Association’s *Human Resources Policy*, as well as the employee’s Employment Agreement, as applicable. Violations may result in a warning, reprimand, restrictions, suspension or other disciplinary actions up to and including termination of employment.

## **Reporting a Complaint**

7. Any Individual may report any complaint to the Association. A complaint must be In Writing and must be filed within 21 days of the alleged incident. Complaints should be submitted to:

Executive Director of Saskatchewan Blind Sports Association

Email – [sbsa.sk@shaw.ca](mailto:sbsa.sk@shaw.ca)

Fax – (306) 242 - 8007

8. A Complainant wishing to file a complaint outside of the 21 days must provide a written statement giving reasons for an exemption to this limitation. The decision to accept or deny the complaint outside of the 21 days will be at the sole discretion of the Case Manager. This decision may not be appealed.
9. At the Association's discretion, the Association may act as the complainant and initiate the complaint process under the terms of this Policy. In such cases, the Association will identify an individual to represent the Association.
10. Resignation or lapsing of membership after a complaint is filed does not preclude disciplinary proceedings being pursued under this policy.
11. Upon receiving a complaint, the Association will review the complaint to determine validity and required next steps.

## **Case Manager**

12. Upon the receipt and review of a complaint, the Association may appoint or request the appointment of an independent Case Manager to manage and administer complaints submitted in accordance with this Policy and such appointment is not appealable. Case Manager services will be accessible through Sask Sport from an external firm or pool of individuals with knowledge and expertise in dispute resolution.
13. The Case Manager has a responsibility to:
  - a) Determine whether the complaint is within the jurisdiction of this Policy or frivolous
  - b) Propose the use of the Association's Alternate Dispute Resolution Policy
  - c) Appoint the Discipline Panel, if necessary
  - d) Coordinate all administrative aspects and set timelines
  - e) Provide administrative assistance and logistical support to the Panel as required
  - f) Provide any other service or support that may be necessary to ensure a fair and timely proceeding.

## **Procedures**

14. If the Case Manager determines the complaint is:
  - a) Frivolous or outside the jurisdiction of this Policy, the complaint will be dismissed immediately.
  - b) Not frivolous and within the jurisdiction of this Policy, the Case Manager will notify the Parties the complaint is accepted and the applicable next steps.
15. The Case Manager's decision to accept or dismiss the complaint may not be appealed.

16. The Case Manager will establish and adhere to timeframes that ensure procedural fairness and that the matter is heard in a timely fashion.
17. **After notifying the Parties that the complaint has been accepted, the Case Manager will first, propose the Association's Alternate *Dispute Resolution Policy* with the objective of resolving the dispute. If the dispute is not resolved or the parties refuse the Alternate Dispute Resolution Policy, the Case Manager will appoint a Discipline Panel, which shall consist of a single Adjudicator, to hear the complaint. In extraordinary circumstances, and at the discretion of the Case Manager, a Panel of three persons may be appointed to hear the complaint. In this event, the Case Manager will appoint one of the Panel's members to serve as the Chair.**
18. **The Case Manager, in cooperation with the Discipline Panel, will then decide the format under which the complaint will be heard. This decision may not be appealed. The format of the hearing, which may involve direct communications with the Parties, an oral in-person hearing, an oral hearing by telephone or other telecommunications, 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 Parties will be given appropriate notice of the day, time, and place of the hearing, in the case of an oral in-person hearing, an oral hearing by telephone or other telecommunications
  - b) Copies of any written documents which the parties wish to have the Panel consider will be provided to all Parties, through the Case Manager, in advance of the hearing and/or decision rendered
  - c) The Parties may be accompanied by a representative, advisor, or legal counsel at their own expense
  - d) The Discipline Panel may request that any other individual participate and give evidence at the hearing
  - e) The Discipline Panel may allow as evidence at the hearing any oral evidence and document or thing relevant to the subject matter of the complaint, but may exclude such evidence that is unduly repetitious and shall place such weight on the evidence as it deems appropriate
  - f) The decision will be by a majority vote of the Discipline Panel
19. 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 disciplinary sanction. The Discipline Panel may still hold a hearing for the purpose of determining an appropriate sanction.
20. **The hearing will proceed in any event, even if a Party chooses not to participate in the hearing.**
21. **If a decision affects a 3<sup>rd</sup> party to the extent that the 3<sup>rd</sup> party would have recourse to a complaint or an appeal in their own right, that 3<sup>rd</sup> party will**

**become a party and apart of the complaint procedure to the complaint in question and will be bound by the decision.**

## **22. In fulfilling its duties, the Panel may obtain independent advice.**

### **Decision**

23. 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. Within fourteen (14) days of the hearing's conclusion, the Discipline Panel's written decision, with reasons, will be distributed to all Parties, the Case Manager, and the Association. 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. The decision will be considered a matter of public record unless decided otherwise by the Discipline Panel.

### **Sanctions**

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

- a) Verbal or written reprimand
- b) Verbal or written apology
- c) Service or other contribution to the Association
- d) Removal of certain privileges
- e) Suspension from certain teams, events, and/or activities
- f) Suspension from all Association activities for a designated period of time
- g) Withholding of prize money or awards
- h) Payment of the cost of repairs for property damage
- i) Suspension of funding from the Association or from other sources
- j) Expulsion from the Association
- k) Any other sanction considered appropriate for the offense

25. Unless the Discipline Panel decides otherwise, any disciplinary sanctions will begin immediately, notwithstanding an appeal. Failure to comply with a sanction as determined by the Discipline Panel will result in automatic suspension until such time as compliance occurs.

26. Infractions that result in discipline will be recorded and records will be maintained by the Association.

### **Suspension Pending a Hearing**

27. The Association may determine that an alleged incident is of such seriousness as to warrant suspension of an Individual pending completion of the criminal process, a hearing or a decision of the Panel.

### **Criminal Convictions**

28. An Individual's conviction for a *Criminal Code* offense, as determined by the Association, will be deemed an infraction under this Policy and will result in expulsion from the Association. Criminal Code offences may include, but are not limited to:

- b) Any child pornography offences
- c) Any sexual offences
- d) Any offence of physical violence
- e) Any offence of assault

f) Any offence involving trafficking of illegal drugs

**Confidentiality**

29. The discipline and complaints process is confidential and involves only the Parties, the Case Manager, the Discipline Panel, and any independent advisors to the Panel. Once initiated and until a decision is released, none of the Parties will disclose confidential information relating to the discipline or complaint to any person not involved in the proceedings.

**Timelines**

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

**Records and Distribution of Decisions**

31. Other individuals or organizations, including but not limited to, national sport organizations, provincial sport organizations, Sask Sport Inc., etc., may be advised of any decisions rendered in accordance with this Policy.

**Appeals Procedure**

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

## Appendix A

### CASE MANAGER POSITION DESCRIPTION

#### Purpose

1. In some of its policies, the Association requires the appointment of a Case Manager. This Position Description outlines the role, identity, responsibilities and tasks of the Case Manager.

#### Policies

15. The following Policies require the appointment of a Case Manager:
  - d) Discipline and Complaints
  - e) Appeal
  - f) Alternate Dispute Resolution Policy

#### Identity

16. The Case Manager, whether or not appointed by the Association at its sole discretion, should be experienced with the management of disputes in an unbiased manner. The individual should not be connected in any way to the issue being disputed (and/or the outcome of the dispute) but does not necessarily need to be an independent third-party not connected with the Association – though the guaranteed independence and neutrality of a third-party is preferred. The individual does not need to be a Member of the Association.
17. The Case Manager's identity does not need to be approved by any of the parties involved in the dispute, excluding the Association.

#### Discretion - Complaints

18. When a complaint is filed, the Case Manager is required to:
  - a) Determine whether the complaint is frivolous and within the jurisdiction of the Discipline and Complaints Policy
  - b) Propose the use of the Association's Alternate Dispute Resolution Policy
  - c) Appoint the Panel, if necessary
  - d) Coordinate all administrative aspects and set timelines
  - e) Provide administrative assistance and logistical support to the Panel as required
  - f) Provide any other service or support that may be necessary to ensure a fair and timely proceeding

#### Discretion - Appeals

19. **When an appeal is filed, the Case Manager is required to:**
  - a) Propose the use of the Association's Alternate Dispute Resolution Policy
  - b) Determine if the appeal falls under the scope of the Appeal Policy**
  - c) Determine if the appeal was submitted in a timely manner**
  - d) Decide whether there are sufficient grounds for the appeal**
  - e) Appoint the Panel, if necessary
  - f) Coordinate all administrative aspects and set timelines
  - g) Provide administrative assistance and logistical support to the Panel as required
  - h) Provide any other service or support that may be necessary to ensure a fair and timely proceeding



20. **When determining if there are sufficient grounds for appeal, the Case Manager is not acting as the Panel and determining the merits of the appeal, but instead determining whether the Appellant has properly shown that an error, as described in the Appeal Policy, has been properly argued. The Case Manager will need to carefully consult the Association's policies and procedures, and analyze the process that contributed to the decision, to determine whether there are appropriate grounds.**

#### **Discretion – Alternate Dispute Resolution**

21. **When the parties agree to the jurisdiction of the Alternate Dispute Resolution Policy, the Case Manager maybe required to:**

- d) Appoint the mediator or facilitator
- e) Coordinate all administrative aspects and set timelines
- f) Provide administrative assistance and logistical support to the mediator or facilitator as required

#### **Hearing Format - Discretion**

22. If necessary, the Case Manager is required to exercise their discretion to determine the format of the hearing. Hearings typically take the following forms, but are not limited to:

- e) In person
- f) Conference call
- g) Written submissions
- h) Conference call plus written submissions

23. In determining the format of the hearing the Case Manager should consider:

- g) The distance between the parties
- h) The animosity between the parties
- i) The time commitment and location of the Panel
- j) The timelines for a decision
- k) The language barriers between the parties
- l) The gravity of the complaint/appeal

#### **Panel Appointment**

24. **The Case Manager is required to appoint a Panel of one person, or three in extraordinary circumstances, to decide the issue. The individual(s) should have the following characteristics:**

- f) **Experience in dispute resolution**
- g) **Experience with sport disputes**
- h) **No connection to either party**
- i) **Preferably no connection with the Parties**
- j) **Decisive**

25. **The Case Manager should remind the Panel to adhere to the powers given to the Panel by the applicable policy. For example, if the policy does not permit the Panel to suspend the respondent indefinitely, then the Panel cannot sanction the respondent in this manner.**

## Communication

26. **Especially when the hearing is to be held by written submissions, the Case Manager is required to communicate swiftly, clearly, and decisively with each party. The parties must adhere to the deadlines set by the Case Manager or by the applicable policy and the process must move forward even if a party misses a deadline.**
27. **When coordinating an oral hearing, the Case Manager should first consider the schedule of the Panel, then the schedule of the complainant, and then the schedule of the respondent in an attempt to find a suitable time for everyone.**

## Suggested Procedure

28. **The Case Manager may implement the following procedure to facilitate the Discipline and Complaints Policy or the Appeal Policy:**
  - a) **Receive the written complaint or appeal**
  - b) **Communicate with the Complainant/Appellant that you have been appointed the Case Manager and that their complaint/appeal will be disclosed to the Respondent and Panel. Also determine if there is additional evidence or written submissions to follow, if so, provide a deadline for receipt. (After this step, the Complainant/Appellant may not have another opportunity to make additional submissions or provide evidence, unless determined otherwise by the Panel)**
  - c) **Determine whether the complaint is within the jurisdiction of the applicable Policy.**
  - d) **Notify the Respondent that you are the Case Manager and are in receipt of a complaint/appeal. Communicate to the Respondent that any submissions will be provided to the Complainant/Appellant and Panel. Provide the Respondent with a reasonable timeframe to submit their response document and any applicable evidence. (After this step, the Respondent may not have another opportunity to make additional submissions or provide evidence, unless determined otherwise by the Panel).**
  - e) **The Case Manager may wish to provide the Complainant/Appellant to submit a rebuttal, but the rebuttal must be limited to issues raised by the Respondent and is not an opportunity to provide new evidence. The Panel may exclude such new evidence.**
  - f) **Appoint the Panel**
  - g) **Conduct a hearing either via written documentation, teleconference, in – person, or a combination of these techniques.**
  - h) **Ensure the Panel renders a written decision within a prescribed timeline.**

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Policies  
PAGE #: 9.18

APPROVED: June 3, 2016  
REVISED: June 3, 2016

SBSA shall incorporate an Affiliate Club Policy.

- A club or group applying for the recognition as an Affiliate Club of SBSA shall be considered for Affiliate Club status if determined in the opinion of SBSA Board of Directors to be a not-for-profit organization and will contribute to the objectives of SBSA,
- A club or group applying for the recognition as an Affiliate Club shall submit a list of their members and the name of their Chairperson to SBSA.
- Members of the Affiliate Club shall be members of SBSA.
- A club or group concerned with the aspect of providing recreation or sport for the blind or partially sighted shall be eligible for Affiliate Club status with SBSA.
- An Affiliate Club and its members shall not be covered under SBSA's insurance policy.

## POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators

APPROVED: October 3, 1992

PAGE #: 10.1

REVISED: October 13, 2012

The Sport Technical Director shall call annual meetings with the Sport Co-ordinators to finalize rules, regulations, fees, etc. for each sport division.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.2

APPROVED: November 20, 1993  
REVISED: October 13, 2012

The Sport Technical Director shall communicate any sport-related decisions made by the Board of Directors to the Co-ordinator of that sport.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.3

APPROVED: March 27, 1993  
REVISED: January 16, 2010

All participants affiliated with each respective sport shall have voting privileges for the respective Sport Co-ordinator.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.4

APPROVED: October 2, 2004  
REVISED: January 16, 2010

Sport Co-ordinators shall be ratified by the Board of Directors as presented by the Sport Technical Director. A Co-ordinator may be terminated by a Board of Directors decision as recommended/presented by the Sport Technical Director.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.5

APPROVED: May 25, 2001  
REVISED: September 21, 2014

An SBSA member may co-ordinate and/or assist one or more SBSA sports.



SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.6

APPROVED: September 10, 1994  
REVISED: October 13, 2012

The Sport Co-ordinator shall approve any expenses incurred regarding their sport prior to reimbursement or payment being issued.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.7

APPROVED: May 22, 2009  
REVISED: January 16, 2010

All bills or invoices related to sport budget items shall state that GST is included in the price or the amount shall itemize the GST.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.8

APPROVED: October 2, 2004  
REVISED: September 7, 2013

Travel arrangements, accommodations and entry fee payables shall be made through the SBSA Office. No arrangements shall be made until such time as the respective Participation Fees have been paid.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.9

APPROVED: January 14, 2006  
REVISED: January 16, 2010

A participant shall be required to have an active season within a respective sport prior to being eligible to participate in a national or international competition.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.10

APPROVED: September 12, 2009  
REVISED: January 16, 2010

Sport Co-ordinators may request from the Executive Director a list of members in a particular age range for the purpose of recruitment.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.11

APPROVED: July 23, 2013  
REVISED: September 21, 2014

Each SBSA Provincial Sport Co-ordinator shall recruit an Assistant for their role. This Assistant shall not be the spouse of the Provincial Sport Co-ordinator.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Sport Co-ordinators  
PAGE #: 10.12

APPROVED: June 3, 2016  
REVISED: June 3, 2016

Memberships to SBSA and other organizations shall not be used as a budget item.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Suspension  
PAGE #: 11.1

APPROVED: March 17, 2001  
REVISED: January 16, 2010

A membership shall be revoked permanently should the Board of Directors determine the member's conduct is contrary to the best interest of Saskatchewan Blind Sports Association.





SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Suspension  
PAGE #: 11.2

APPROVED: June 12, 2015  
REVISED: June 12, 2015

SBSA members who have been suspended shall be named in the document “SBSA List of Suspended Members”. This document shall not be part of the Policy and Procedures Manual.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Suspension  
PAGE #: 11.3

APPROVED: June 12, 2015  
REVISED: June 12, 2015

SBSA Executive Director shall inform Sask Sport when a member of SBSA is suspended.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Suspension  
PAGE #: 11.4

APPROVED: June 12, 2015  
REVISED: June 12, 2015

A new Board Member shall be made aware of situations that have involved SBSA Members and their actions which has resulted in banishment, temporary suspension, suspension or legal action brought forward against the SBSA member.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Voting and Elections  
PAGE #: 12.1

APPROVED: October 13, 2012  
REVISED: October 13, 2012

Members shall be 18 years of age or older to be eligible to vote at SBSA meetings.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Voting and Elections  
PAGE #: 12.2

APPROVED: October 13, 2012  
REVISED: October 13, 2012

Members shall be 18 years of age or older to be eligible to hold a position on the SBSA Board of Directors.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Voting and Elections  
PAGE #: 12.3

APPROVED: June 12, 2015  
REVISED: June 12, 2015

Any Member of the Association has the right to cast one vote in person on any one question. Voting by proxy is not allowed at SBSA AGM.

SASKATCHEWAN BLIND SPORTS ASSOCIATION  
POLICY AND PROCEDURES MANUAL

SECTION: Voting and Elections  
PAGE #: 12.4

APPROVED: June 12, 2015  
REVISED: June 12, 2015

A member in good standing may be nominated from the floor by a member at the SBSA AGM. Should the member being nominated not be present at the AGM, the member making the nomination shall present a letter of intent from the member being nominated stating their intent to run for a position on the SBSA Board of Directors.