

COACHES OF CANADA CODE OF CONDUCT

PREAMBLE

1. Coaches of Canada is committed to providing a sport environment in which the four ethical principles contained in the Coaching Code of Ethics are respected and promoted. Coaches of Canada believes that these values and ideals shall guide the communications and actions of all members of Coaches of Canada

APPLICATION

2. As a legal entity, Coaches of Canada has the authority to establish policies to govern its own affairs and to prescribe, monitor and enforce the conduct of its members pursuant to such policies.
3. The members of Coaches of Canada shall conduct themselves in a manner consistent with the principles and ethical standards set out in the Coaching Code of Ethics. Members who fail to meet this standard shall be subject to the disciplinary sanctions identified within this policy.
4. Members who are sanctioned under this policy may be subject to the disciplinary rules and processes of other associations, clubs or organizations in which they are involved in a coaching capacity, separate and apart from Coaches of Canada. In serious cases, members may also be subject to criminal prosecution.

COMPLAINT

5. A complaint about a member of Coaches of Canada may be made by any member of the general public including but not limited to an athlete, a representative of a club or sport organization, a coach, a parent or any member or representative of Coaches of Canada.
6. Complaints shall be directed to a Director of a National Coaching Institute, or a Coaching Association of Canada (CAC) Field Officer. The complaint shall be forwarded to the Executive Director of Coaches of Canada. A complaint may also be made directly to the Executive Director of Coaches of Canada.
7. A complaint concerning the conduct of a Coaches of Canada member shall:
 - a) Be made in writing
 - b) Identify the Coaches of Canada member against whom the complaint is made
 - c) Set out details of the complaint
 - d) Identify the name and address of the complainant, and
 - e) Be signed by the complainant

SCREENING

8. As soon as is practicably possible, the Chief Operating Officer of Coaches of Canada shall, upon receiving a complaint:
 - a) Ensure that the complaint is made in the proper form, as described in Section 7
 - b) Determine whether the complaint is one which comes within the scope of this conduct policy and deals with the conduct of a member
9. If, in the sole discretion of the Chief Operating Officer the complaint does comply with the provisions of Section 7, the Chief Operating Officer shall inform the complainant in writing, and the complainant may resubmit a corrected complaint.

INVESTIGATION

10. A complaint made in the proper form and falling within the scope of this policy shall be forwarded to the Director of the National Coaching Institute or the CAC Field Officer (“Director”) in the jurisdiction having the greatest connection with the complaint, as determined by the Chief Operating Officer.
11. Within three business days of receiving the complaint, the Director shall provide a copy of the complaint, by registered mail, to the member against whom the complaint has been made.
12. The member shall have 10 business days from the date of receiving the complaint to respond in writing to the Director. In extraordinary circumstances, the Director may extend this timeline, upon the request of the member.
13. Taking into consideration the nature of the complaint and the reply of the member, the Director shall determine:
 - a) If the complaint is without merit, in which case the Director shall inform both the complainant and the member against whom the complaint is made, of this decision in writing, with a copy to the Chief Operating Officer, after which time the matter shall be considered closed,
 - b) If disciplinary action against the member is warranted, in which case the Director shall apply sanctions in accordance with Section 25 of this policy, or
 - c) If further investigation is required.
14. If the Director determines that further investigation is required, the Director shall interview each of the parties and any witnesses who, in the opinion of the Director, may have relevant information concerning the complaint.
15. At the conclusion of the investigation the Director shall determine:
 - a) If the complaint is without merit, in which case the Director shall inform both the complainant and the member against whom the complaint is made, of this decision in writing, with a copy to the Chief Operating Officer, after which time the matter shall be considered closed,

- b) If disciplinary action against the member is warranted, in which case the Director shall apply sanctions in accordance with Section 25 of this policy, or
 - c) If the matter should go to a formal hearing
16. The Director may determine that the alleged offense is of such seriousness as to warrant suspension of the member from Coaches of Canada pending the hearing and decision of the Conduct Panel.
17. The Director shall prepare a written report outlining the details of the investigation and the action taken in accordance with Section 15. A copy of this report shall be provided to the Chief Operating Officer of Coaches of Canada within ten (10) business days of the end of the investigation.

HEARING

18. If the Director determines that the matter should go to a formal hearing, the member against whom the complaint is made and the complainant shall be informed within 10 business days of the end of the investigation and shall be provided with a copy of the Director's report referred to in Section 17.
19. The Director shall appoint from among a pool of coaches two (2) Coaches of Canada members to sit on the Conduct Panel. The third member of the panel shall be appointed by the SDRCC. This third appointee shall be a lawyer and shall act as Chair of the Conduct Panel.
20. The Conduct Panel shall hold the hearing as soon as possible, but not more than 15 business days after the member is first notified of the hearing by the Director.
21. The Conduct Panel shall govern the hearing as it sees fit, provided that:
- a) The member subject to the complaint shall be given 7 business days written notice (by courier or fax) of the day, time and place of the hearing
 - b) The hearing may be conducted in person or by telephone or video conference
 - c) The member and the complainant may participate in the hearing
 - d) The hearing shall proceed in the absence of either the member or the complainant
 - e) The member subject to the complaint shall receive a copy of all materials which are to be considered by the Conduct Panel
 - f) Quorum shall be all three Panel members
 - g) Decisions shall be by majority vote, where the Chair carries a vote
 - h) The member subject to the complaint may be accompanied by a representative, any costs of which shall be borne by the member
 - i) The member subject to the complaint shall have the right to present evidence and argument
 - j) The hearing shall be held in private

- k) The member subject to the complaint may chose to have the hearing in either official language
 - l) The Conduct Panel may request that witnesses to the incident be present or submit written evidence
22. The Conduct Panel shall render its decision with written reasons within 5 business days of the conclusion of the Hearing. A copy of this decision shall be provided to all of the parties to the hearing, the Director and the Chief Operating Officer of Coaches of Canada.
23. Once appointed, the Conduct Panel shall have the authority to abridge or extend timelines associated with all aspects of the hearing.
24. Where the member acknowledges and accepts the facts of the complaint he or she may waive the hearing, in which case the Panel shall determine the appropriate disciplinary sanction. The Panel may hold a hearing for the purposes of determining an appropriate sanction.

SANCTIONS

25. The following disciplinary sanctions, singly or in combination, may be applied by the Director:
- a) A written reprimand to be placed in member's file
 - b) A verbal and/or written apology
 - c) Further education, training or counseling
 - d) Publication of the details of the sanction
 - e) Any other sanction(s) deemed appropriate in the circumstances
26. The following disciplinary sanctions, singly or in combination, may be applied by the Conduct Panel:
- a) Any of the sanctions set out in Section 25
 - b) Suspension from Coaches of Canada for a specified period of time,
 - c) Termination of membership in Coaches of Canada
 - d) Monetary fine
 - e) Payment of part or all costs of the hearing, investigation or both
 - f) Any other sanction(s) deemed appropriate in the circumstances
27. No publication of a decision or sanction shall take place until the time for appeal has expired or an appeal has been decided.
28. In applying these sanctions, the Director or Conduct Panel may have regard to the following aggravating or mitigating circumstances:
- a) The nature and severity of the offense
 - b) Whether the incident is a first offense or has occurred repeatedly
 - c) The member's acknowledgment of responsibility
 - d) The member's extent of remorse
 - e) The member's extent of cooperation with the procedures set out in this policy

- f) The age, maturity or experience of the member
- g) The member's prospects for rehabilitation
- h) The extent to which others were harmed by the member's actions

29. At the request of the disciplined member and at the discretion of the Conduct Panel, a sanction may be suspended until the time period for appeal has expired or an appeal has been decided.

AUTOMATIC SANCTION

30. Notwithstanding the procedures set out in this policy, any member who is convicted of a criminal offense involving sexual exploitation, invitation to sexual touching, sexual interference, sexual assault or aggravated assault, shall face an automatic suspension from Coaches of Canada for a period of time corresponding to the length of criminal sentence imposed by the Court, and may face further disciplinary action by Coaches of Canada in accordance with this policy.

DELEGATION

31. The Chief Operating Officer or Director may delegate their responsibilities under this policy as they deem appropriate, in the event they are absent, have a conflict of interest or are unable to complete an act.

APPEALS PROCEDURE

32. Except where otherwise provided, an appeal of any conduct matter shall be conducted according to the Appeals Policy of Coaches of Canada.

*Passed by a vote of the Annual General Meeting
Mississauga, Ontario
September 11, 1997*

*Modified April 2006
To reflect new name of the corporation, Coaches of Canada (formerly the Canadian Professional Coaches Association: CPCA)*

GUIDELINE FOR DETERMINING PROCEDURE FOR COMPLAINTS

Examples of minor infractions that may be dealt with by the Director:

- A single incident of disrespectful, offensive, abusive, racist or sexist comments or behaviours directed towards others, including but not limited to, coaches, athletes, officials, administrators, spectators and sponsors.
- Unsportsmanlike conduct such as angry outbursts or arguing.
- Minor breach of confidentiality.

Examples of major infractions that may go to a hearing:

- Repeated incidents of disrespectful, offensive, abusive, racist or sexist comments or behaviours directed towards others, including but not limited to athletes, coaches, officials, administrators, spectators and sponsors.
- Repeated unsportsmanlike conduct such as angry outbursts or arguing
- Single physically abusive incident.
- Activities or behaviours that interfere with a competition or with any athlete's preparation for a competition.
- Pranks, jokes or other activities that endanger the safety of others.
- Use of techniques or programs that may endanger the safety of others.
- Abusive use of alcohol where abuse means a level of consumption which impairs the individual's ability to speak, walk or drive; causes the individual to behave in a disruptive manner; or interferes with the individual's ability to perform effectively and safely.
- Use of illicit drugs and narcotics
- Use or promotion of banned performance enhancing drugs or methods